

JANUARY 3, 2012 -REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2012, said Board convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Elliott, Sutton, Wiese and Fischbach.

Maxine Fischer, Brown County Auditor led the Pledge of Allegiance and called for nominations for Brown County Commission Chairman for year 2012, pursuant to SDCL 7-8-15.

Commissioner Hansen nominated Duane Sutton for Chairman. Moved by Wiese, seconded by Fischbach that nominations cease and a unanimous ballot be cast for Duane Sutton, 2012 Chairman. All members present voting aye. Motion carried.

Commissioner Fischbach nominated Burt Elliott for Vice Chairman. Moved by Wiese, seconded by Hansen that nominations cease and a unanimous ballot be cast for Burt Elliott, 2012 Vice Chairman. All members present voting aye. Motion carried.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of December 27, 2011 and the Special Meeting minutes of December 30, 2011. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,229.05; Auditor \$8,407.39; Treasurer \$11,148.66; Data Processing \$2,395.93; State's Attorney \$12,634.57; SVAWA Grant \$1,269.24; Blood Draws \$560.00; Maintenance \$5,964.81; Assessor \$11,187.83; Register of Deeds \$7,407.35; Veterans Service Office \$3,294.30; GIS \$1,965.93; Sheriff Adm \$27,002.55; Jail \$26,927.78; JDC \$12,598.11; HD \$4,288.27; 24/7 \$1,808.92; Communications \$17,229.28; Coroner \$1,200.00; Welfare Office \$3,244.20; Museum \$6,422.35; Parks & Fairgrounds \$3,791.19; Fairboard \$2,258.79; Weed \$963.27; Extension \$2,181.60; Weed \$437.16; Planning and Zoning \$2,290.11; Emergency Management \$2,891.23; Teen Court \$353.18; Highway \$35,791.13; Landfill \$9,789.27; Matching Benefits: FICA \$14,508.04; Medicare \$3,392.97; Retirement \$13,985.12;

Insurance: Hagan Benefits \$195,939.85, SD Municipal League \$97,731.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve a 2% salary increase for all employees, except compensation established by grant reimbursement, board per diem and per call professional fee agreements. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve salary adjustment for Gene Loeschke from 19.01 per hour to \$20.21 per hour, effective January 8, 2012. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Jason Carroll as full-time Corrections Officer in the Jail, effective January 15, 2012 at \$13.33 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Roxanne Hilgenberg as 4-H Secretary, effective January 1, 2012 at \$13.53 per hour (same classification as former position of Extension Secretary). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Elliott 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.

ABATEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following abatements: BNSF RR @ \$46,352.29 (railroad tax credit), DM&E RR @ \$327.00 (railroad tax credit), Albert Cox @ 397.80 (destroyed by fire). All members present voting aye. Motion carried.

DESIGNATION OF DEPUTIES:

Commissioner Wiese offered the following Resolution:

RESOLUTION #1-12

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, 3 Deputies, 1 part-time Clerk. All extra help hired by County Officials must first be approved by the County Commission.

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

OFFICIAL NEWSPAPERS:

Moved by Hansen, seconded by Elliott to designate the following as the official Brown County newspapers for year 2012 (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 Wiese, seconded by Fischbach to designate the following as official depositories for Brown County public funds for year 2012 (SDCL 7-2-13), with funds deposited in the name of Sheila Enderson, Brown County Treasurer: Dacotah Bank; US Bank; Wells Fargo; First Savings of Beresford, Hecla Branch of Hecla; First State Bank of Warner; First State Bank of Warner, Aberdeen Branch; First State Bank of Claremont, Columbia Branch; First State Bank of Claremont, Claremont Branch, First National Bank of Frederick; Plains Commerce Bank; Home Federal Savings & Loan; Great Western Bank; FIT; Great Plains Bank; CorTrust. All members present voting aye. Motion carried.

INVESTMENT POLICY:

Commissioner Hansen offered the following Resolution:

RESOLUTION #2-12

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

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

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

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

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

EXPENSE POLICY:

Moved by Fischbach, seconded by Wiese to set the following expense rates for Brown County employees for year 2012: 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 Wiese, seconded by Fischbach to set fee of \$150.00 for precinct officials working on Election Day, \$10.00 for precinct officials attending the Election School, \$10.00 for precinct official attending AutoMark training (one per precinct), \$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 Elliott, seconded by Wiese to set the following policy for the boards appointed by the Brown County Commission.

Dacotah Prairie Museum Board – No per diem - Maximum two three-year terms.

Extension Board – Mileage per County policy if reside out of Aberdeen City – Maximum two three-year terms.

Fair Board – No per diem – Maximum two three-year terms.

Planning/Zoning Board - \$35.00 per meeting attended, plus mileage per County policy – Five-year terms – No term limit per January 1, 2004 Commission Minutes.

Rationing Board – No per diem – No term length/limit.

Weed & Pest Control Board - \$35.00 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 Wiese offered the following Resolution:

RESOLUTION #3-12

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 Hansen. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

COMMISSION APPOINTMENTS:

Moved by Elliott, seconded by Wiese to approve the following Commission Committee appointments for 2012: Tom Fischbach - Communications Center Council, Range Fire Suppression, LEPC, County Buildings, Union Negotiations, Rationing Board, Aberdeen/Brown County Regional Railroad Authority Commission, FIT, FSA Representative; Duane Sutton - Aberdeen Development Corporation, NECOG, CART, Fair Board, SD Public Assurance Alliance, Dacotah Prairie Museum Board, City Net; Nancy Hansen - Union Negotiations, Senior Citizens Board, Liaison to Welfare, NE Mental Health Board, NACO Board of Directors; Mike Wiese - Planning & Zoning Board, SD Public Assurance Alliance Board Member, Airport Board, NECOG, Glacial Lakes, Communications Center Council; Burt Elliott: Weed & Pest Board, SDACC Catastrophic Legal Board, Fair Board, Extension Board, Risk Management Committee, Legislative Contact. The States Attorney will assist in conducting labor negotiations. All members present voting aye. Motion carried.

CORONER:

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

BOARD APPOINTMENTS:

Moved by Wiese, seconded by Elliott to reappoint the following Citizens Corp Council Members: Tom Schmitt, Susan Cook, Scott Meints and Rich Kezar, terms effective January 1, 2012 – December 31, 2014. Remove Keith Theroux as Law Enforcement Representative and appoint Amanda Buck to finish term, effective January 1, 2012 – December 31, 2013. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to appoint the following Fair Board Members: Sea Atwood, Val Daschel, Karen Erdmann, Robert Husby and Matt Zeller, Second Term, effective January 1, 2012 – December 31, 2014. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to appoint the following CERT Members: John Adams, Marie Adams, Ross Burdick, Steve Gisi, Donna Sharp, Dale Smid and Karen Swank; and further remove the

following CERT Members: Dave Bacon, Ryan Bakeberg, Darcie Engel, Ryan Engel, Brad Fiechtner, Robert Janssen, Zach Kern, Tony Ingemenson, Troy Schaffer, Janet Schatz, Kimberly Schneider and Donna Stearns. All members present voting aye. Motion carried.

FAIRGROUNDS/YOUTH CAMP RENTAL RATES:

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

FAIRGROUNDS RENTAL RATE - EFFECTIVE JANUARY 1, 2012

Storage Space Rental: October 15 to April 1st - Prepaid Lease -No Refunds - \$6.00 per linear foot for entire unit, including trailer hitch and any overhang. All lengths will be rounded to the nearest foot.

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 utilities - 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: \$15.00 per day for pads with power and water. \$18.00 per day for pads with power, water and sewer drops. This includes a 5% State Sales Tax.

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

RICHMOND YOUTH CAMP RENTAL RATES- EFFECTIVE JANUARY 1, 2012

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.
Absolutely no pets allowed in any of the buildings.
All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Elliott, seconded by Wiese to approve application, submitted by Richmond Lake Association for a raffle to be held on April 21, 2012. All members present voting aye. Motion carried.

GRANT AMENDMENT – TIRE DISPOSAL:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman sign Addendum to Subgrant Agreement between the SD Department of Environment and Natural Resources and Brown County for the collection and disposal of waste tires from the Brown County Landfill, extending completion date of contract to July 1, 2012. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed water levels, culvert purchase process and overtime for gravel crushing.

OPEN BURNING BAN

Commissioner Wiese offered the following Resolution;

RESOLUTION #4-12

WHEREAS, Brown County is experiencing abnormally dry conditions, along with very heavy fuel load from previous wet conditions, and

WHEREAS, the Brown County Commission is dedicated in taking steps to protect the health and safety of all residents of the County and all property within the County, and

WHEREAS, the Brown County Commission has consulted with local fire officials and law enforcement officials in regard to the severity of this issue.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission enact this resolution and impose a ban to prohibit or restrict open burning with the exception of campfires in campfire rings or pits, burning barrels 55 gallon or less equipped with a screen, or barbeque grills in order to protect the public health and safety, as per SDCL 7-8-20.18; and

RESOLVE that the ban be in place until a significant snow fall occurs; and

FURTHER RESOLVE that criminal and civil penalties per County Ordinance 18.0703 be imposed if found in violation of this Resolution.

Dated this 3rd day of January 2012.

Seconded by Commissioner Elliott. Roll Call Vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

GRANARY MEMORIAL GALLERY, INC:

Sue Gates, Kurt Smith and Mick Palmer discussed the proposal submitted by John Sieh and Family for donating the facilities and campus of the Granary memorial Gallery Inc. to Brown County. Moved by Wiese, seconded by Hansen to accept the donation of the campus facilities and campus of the Granary Memorial Gallery, Inc upon completion of official documentation. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss contract with Deputy States Attorney Lori Ehlers and Paul Sivertsen 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.

GUARDRAIL DISCUSSION:

Paul Dennert, area Legislator met to express safety concerns with the use of guardrails and suggested the option of revamping road ditch slopes to recommended levels rather than installing guardrail.

PARTIAL PAYMENTS:

Moved by Fischbach, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$200.00 per month on the following properties, effective January 31, 2012: SW ¼ of Sec 3-T128N-R61W of the 5th P.M., Brown County, SD; on Lot 2 Block 51, Second Addition to the City of Aberdeen, Brown County, SD. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 10, 2012.

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

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JANUARY 10, 2012 - GENERAL MEETING

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

MINUTES:

Moved by Elliott, seconded by Wiese to approve the General Meeting minutes of January 3, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Advantage Self Storage \$1656.00, Jodi Brown \$217.50, Cretex Concrete Products \$61233.00, Dware Inc \$1400.00, J & N Mfg \$2560.00, Jasons Electric \$183.67, Kleins \$8.43, Marco \$96.20, SD Dept of Revenue/Regulation \$492,801.10, SD Emergency Mgmt \$60.00, Worthmore Addiction Services \$19000.00, SDPAA \$10.00:

Travel: Weed & Pest Conference \$250.00:

Professional Fees: SD Teen Court Assn \$1406.25, SDACHS \$195.00, Yankton Co Sheriff \$75.00:

Utilities: City of Hecla \$162.10, James Valley Cooperative \$345.92, Northern Valley Communications \$495.69, Northwestern Energy \$38.91, Richmond Sanitary District \$2700.00:

Care of Poor: Rent (4 recipients) Jopy Inc \$199.00, Rockford Apts \$181.00, Cindy Sikkink \$275.00, Sletten Apartments \$320.00; Medication (4 recipients) Kesslers \$34.23, Loris Pharmacy \$151.78, United Clinic Pharmacy \$422.14. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step increases, effective January 8, 2012: Patty VanMeter @ \$14.64 per hour, Mickey Schulz @ \$14.03 per hour, Craig Gardner @ \$12.67 per hour, Kathy Neitzel @ \$16.49 per hour, Jackie Ormand @ \$13.71 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following Brown County Dive Team Members: Cole Adema, Rick Adema, Trent Anderson, Rodney Bade, Tom Barstad, Brandon Clark, Mike Kost, Jodi Martinez, Michael Miller, Ken Nigg, Shane Smith, Leo Stein, Brett Tennis, Kevin Vaughn, Stacy Vrchota, Brad Waage. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to re-appoint Troy Knecht and Mark Hoven to the Weed & Pest Control Board, effective until March 31, 2014. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to list the following volunteers for work comp purposes (CERT, Citizens Corp, Dive Team, Fair, Museum): John Adams, Marie Adams, Cole Adema, Rick Adema, Joe Akkerman, Trent Anderson, Sea Atwood, Rodney Bade, Richard Bakeberg, Diana Banker, Tom Barstad, Becky Berreth, Chad Bierman, Sandra Bierman, Evelyn Blum, Ed Bohlander, Jan Bohling, Paul Bohling, Mercedes Buchanan, Amanda Buck, Becky Burdick, Ross Burdick, Conald Burgard, Brandon Clark, Edythe Clark, Susan Cook, Randy Crawford, Luanne Cunningham, Ryan Cunningham, Val Daschel, Fae Dayton, Cora Dennert, Marvin Dreesen, Janet Elsen, Karen Erdmann, Reick Eske, Chris Fischbach, Allen Gates, Steve Gisi, Randy Grismer, Mary Jane Hansen, Pam Haug, Alan Hawkinson, Gerald Helm, Pat Helm, Janet Herman, Trixie Hettich, Carmel Heyd, Bill Hild, Mary Jo Hild, Dave Hintz, Richard Humphries, Robert Husby, Randy Imberi, Carole Jansen, Davin Johnson, Heath Johnson, Brian Kellar, Nathan Kessler, Rich Kezar, Randy Kingery, Lee Koch, Michael Kost, Ron Kost, Brian LaCroix, Nobel LaCroix, Marilyn Lahr, Stacy Levsen, Jodi Martinez, Tim Mattern, Douglas Mayer, Gretchen Mayer, Bill Meink, Dawn Meink, Carla Meints, Trevor Meints, Tara Meints, Michael Miller, Roland Moerke, Gordon

Nelson, Kent Nigg, Evelyn Nikolas, Nancy North, Dorothy O'Keefe, Gayle Opp, Sandy Osterman, Barb Paepke, Tom Paepke, Mike Payne, Jason Pettigrew, Rick Pigors, Cindy Pigors, Lois Pletten, Jeanette Protxter, Jean Rahja, Chris Rawstern, Terry Rawstern, Douglas Reiersen, Bonnie Robinson, Freddie Robinson, Mike Russell, Caroline Sahli, Jean Schaffer, Bob Schatz, Luke Schaunaman, Neil Schaunaman, Cindy Schick, Janet Schile, Jacie Schley, Deb Schlosser, Dan Schlosser, Nancy Schrenk, Gretchen Sharp, Brian Sharp, Donna Sharp, Dale Smid, Pam Smid, Mike (Shane) Smith, Kathy Sperry, Leo Stein, Becky Stucker, Char Suel, Liz Sutherland, Jesse Swallow, Karen Swank, Chip Swanson, Marian Swanson, Richard Taylor, Brett Tennis, Linda Thurston, Terri Traxinger, Kevin Vaughn, Eric Vetter, Stacy Vrchota, Brad Waage, Joan Walter, Pat Waltman, Dean Webb, Kathy Webb, Betty Werth, Cara Wollman, Constance Woods, Matt Zeller. All members present voting aye. Motion carried.

2012 SALARY SCHEDULE:

Moved by Wiese, seconded by Hansen approve the following salaries, effective December 25, 2011:
Annually States Attorney Kim Dorsett 61,809; Sheriff Mark Milbrandt 63,331 (plus \$500 per pay period to oversee Communications Center); Auditor Maxine Fischer, Treasurer Sheila Enderson, Register of Deeds Carol Sherman 50,681; Commissioners (plus county paid portion of optional insurance coverage) Nancy Hansen 16,703, Burt Elliott, Tom Fischbach, Duane Sutton, Mike Wiese 17,233; Deputy States Attorney's Lori Ehlers 56,100, Karly Winter 37,740, Chad Locken 36,720, Jodi Brown 13,515 (Victims Assistance) 30,000 (SVAWA Grant); Chief Deputy Sheriff Tom Schmitt 56,998; Building Superintendent Mick Palmer 39,374; Museum Director Sue Gates 41,109; Veterans Service Officer Tom Gohn 42,784; EM Director Scott Meints 46,400; Fairgrounds Superintendent Kurt Smith 39,419; Planning/Zoning/Drainage/E911 Rural Addressing Director Gary Vetter 43,090; Welfare Director Charlene Millim 47,656; Deputy Sheriff/Communications Director John McQuillen 51,916; Highway Superintendent Jan Weismantel 55,799; Director of Equalization Mary Worlie 50,274; GIS Coordinator Scott Madsen 52,136; Landfill Manager Mike Scott 53,056; Fair Board Manager Amy Scott 38,760; Juvenile Detention Supervisor Amy Lake-Harmon 43,558; Coroner and Deputies: Michael Carlsen, Kenneth Kusler \$150.00 per call. Blood Draw: Lyrta Wilkie, Merissa Johnson, Deandra Rose, Mary Jo Rohrbach, Pam Smid, Karlene Geffre \$40.00 per draw. On Call Nurse: \$15.00 per phone call, \$35.00 per one hour or less physical visit, \$25.00 per hour over one hour physical visit: Pam Smid, Sandra Fair, Karlene Geffre, Marcy Fritz, Dawn Wipf. Per Meeting: Darwin Bettmann, Stanley Beckler, Patrick Keatts, David North, Jerry Streckfuss, Dale Kurth, Dennis Weidebush, Mark Hoven, Duane Jark, Troy Knecht \$35.00 per meeting. Per Hour Weed Supervisor Mike Rohrbach 15.58. Assistant Landfill Manager Don Fischer 15.69. Senior Appraisers Leo Leshner 20.21, Gene Loeschke 19.01. Chief Office Deputies (Auditor, Treasurer, Register of Deeds) Andrea Sjomeling, Dorene Borchard, Catherine Lindemann 20.21. Highway Shop Foreman Mark Wendt 20.98 per hour; Highway Department Assistants Kendell Titze, Marcus Selzler 20.21 per hour. Appraisers: Barry Kusler 14.69, Russell Metz 16.69, Kathy Fischer 19.06. Computer/Technology Support Specialist: Timothy Miller 18.58. Chief Office Deputies (Sheriff, Welfare, States Attorney, Maintenance, Director of Equalization, EM, Veterans Service) Patti Woods 14.56, Polly Rush 16.37, Kathy Schlecht 17.27, Janice Moore 18.48, Penny Hart 21.08, Mavis Kempf 18.43, Judy Dosch 18.93. States Attorney's Office Secretaries Tina McLeod 13.11, Kristina Vetter 13.74, Tracy Madsen 14.11. Office Deputies, Museum Curators, Secretaries/Clerks Kim Jahraus, Anne Harris, Lynn Heupel, Jeanette Kline, Stacie Hallenbeck, Sonja Twaddle 12.44, Tracy Engquist, Cindy Woodford 12.68, Andrew Janusz 13.17; Sara Hagman, Pam Sudlow 13.34; Roxanne Hilgenberg, Mariann Malsom, JoAnn Sheffield 13.53; Jackie Ormand 13.71, Carol White 14.24, Lora Schaunaman, Sherry Theobald 14.29, Cindy Meyers 14.34, Sandra Green 14.49, Jolene Forsting 14.54, Patty Van Meter 14.64, Sherri Rawstern 14.79, Jan Erickson 15.29. Clerk, Secretary, Maintenance, Parts Jeremy Eppard 12.19, Craig Gardner 12.67, Cindy Eppard 12.91, Mickey Schulz 14.03, Monte Podoll 14.08. Sheriff Department Clerical & Cooks Teresa Mann 12.92, Sandy Mielke 13.81, Diane Mielke 15.89, Joyce DesCamps 16.29, Carol Wolf 16.24, Kathy Neitzel 16.49. Dispatchers Cortney Hilgemann, Christine Haggerty 13.62, Ember Currence 13.90, Erin McClain 14.21, Amber Johnson, James Petrich 14.52, Tonya Walth 14.83, Jennifer Stoddard 15.41, Melony Flinn 16.02, Sarah Jesz 16.62, Sheila

Anderson 17.02, Mary Browning 17.27. Chief Dispatcher Nancy Radke 18.79. Highway/Fairgrounds (Labor Grade 3) Curt Erickson, Gerald Lehrkamp, Glen Neumiller, Matt Heupel, Marty MacConnell 13.24, Kevin Ernst, Nicholas Juenger, Charles Gruenstein 13.47, Dana Breske 13.72, Kathy Thompson, Tim Hettich 13.97, Bryan Owens, Brad Nehlich 14.14, Michael Rohrbach 14.50, Larry Hardy 15.42, John Weig 16.12. Highway/Landfill (Labor Grade 4) Casey Jensen 14.09, Dennis VanHeerde 15.32, Nyle Jenson 15.47, Carl Wright 16.57, Ben Hofer 15.27. Highway (Labor Grade 5) Justin Salo 14.10, David Bruckner 16.56. Highway Mechanics Labor Grade A (with cdl)/Outside Shop Foreman Daryl Lloyd 15.23, Randy Kutter, Paul Wipf 15.72, Ronald Glugla 16.85. Field Deputy Sheriff/Chief Jailers Ross Erickson, Dustin Peiker 17.32, Ben Smith, Anthony Sorenson, Kyle Crawford, Nathan Smith 17.63, Keith Baker 18.24; Damian Bahr 18.80, Craig Nelson, Brian Koens, Terrence Evans 19.79, Scott Kolb 20.39, John Heine 20.44. Jail Deputy/Home Detention Supervisor/Assistant JDC Supervisor Teri Jondahl 15.64, Brenda Hammrich 16.87. Jailers (Adult and JDC) Nicole Leslie, Daniel Burzlaff, Samantha Foley, Danica Marshall, Brian Bahr, Brandon Mills, Stacie Wasem 13.33, Jonathan Waldner, Adelaide Mouna 13.64, Tamara Knoll, Stanley Schulz, Linn Kamin, Jesse Milbrandt, Jennifer White 13.95, Albert Chagolla, Joseph Embury, Heidi Fischer 14.26, Michael Ernst 14.87; Samiuela Mouna 15.19, Harlan Place 15.49, Russ Ochsner, Kristal Koens 16.45, Cindy Mitchell, Jeffrey Kirnan 16.50. Part time employees – per hour: Paul Opp, Pamela Wolf 8.21, Doris Adler 8.86, Ron Leighty 9.15, Richard Schooley 9.30, Richard Burns 9.35, Tina Boldt, Michael Merkel 9.53, Marianne Marttila-Klipfel 10.84, Kay Albrecht, Julie Hermansen, Cheryl Grant, Robert Baumgartner, Dennis Olson, Maggie Bell, Clay Nelson, Dawn Lilly, Britney Lout, Danica Marshall, Bradley Jung, Judy Norris, Susan Sumner, Tyann Baloun, Anne Kusler 11.15, Lisa Holcomb, Vaughn Ayala 11.92; Tom Lammon, Jeff Hayes, Elizabeth Tice, John Ness, Brandon Black 12.68, Robert Retzer, Merv Heaton 13.81, Richard Hansen 14.13. 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. Jail Sergeant: 10:00 P.M. to 8:00 A.M. @ \$0.40 per hour. NOTE: All overtime calculated on base pay. GUARDS: \$75 per day for each round trip less than 400 miles; \$100 per day for each round trip over 400 miles – Robert Baumgartner, Nathan Wood, Lesley Farnen, Brock Schiferl, Ken Hostetter, Rod Grismer, Daniel Harvey, Eldon Reich, Kyle Stoddard, Dale Farnen, David Hunter, Tim McCurdy. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the December 2011 Auditor's Report of Account with the County Treasurer in total amount of \$12,781,121.53 (total amount of actual cash @ \$3,790.00, Wells Fargo Bank @ \$3,621.29, US Bank @ \$46,625.39, Dacotah Bank @ \$568,468.35, Petty Cash @ \$7,509.88, Fund Investments @ \$12,151,106.62, Outstanding Checks @ \$10.00). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following abatements: Dorothy Meyers @ \$92.38 (MH destroyed); Steve Dunker @ \$915.15 (destroyed in storm); Nathan Hoeft @ \$568.22 (wrong taxing district); Steven Tewksbury @ \$93.28 (storm damage); Steve Schaller @ \$642.86 (storm damage); Brown County @ \$3.84 and \$127.06 (tax exempt). All members present voting aye. Motion carried.

GENERAL FUND LOAN:

Moved by Wiese, seconded by Fischbach to authorize cash loan from the General Fund to the following Fund until grant reimbursements are received: Fund #226 @ \$7,655.72, effective December 31, 2011. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

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Moved by Wiese, seconded by Elliott to amend Contingency Transfers approved December 27, 2011: increase spending authority (no cash): Fund #248 24/7 Sobriety @ \$3,031.80, decreasing spending authority in Fund #101-141 Auditor @ \$3,031.80, effective December 31, 2011. All members present voting aye. Motion carried.

PROPERTY RELEASE:

Commissioner Wiese offered the following Resolution:

RESOLUTION #5-12

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$3,534.50, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon payment of \$500.00 cash and on condition that \$50.00 per month payments continue per contract with the Welfare Office, that all real estate taxes are paid in full, and that the lien balance remain filed against the individual.

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

Lot 32, Block 2, Ganje Addition of Mel Ros Estates to Aberdeen, according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$500.00 cash and on condition that \$50.00 per month payments continue per contract with the Welfare Office, that all real estate taxes are paid in full and that the lien balance remain filed against the individual.

Dated this 10th day of January 2012

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

COMPUTER PROPOSAL DISCUSSION:

Brian German, Expetec presented information about his company offering technology services to Brown County.

Gene Kopetsky, R&K Computers presented information about his company offering technology services to Brown County.

BRIDGE 278 CHANGE ORDER #2:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Change Order #2 for BRO 8007(37), PCN H051, Bridge #278 extending the completion date from November 1, 2011 to August 1, 2012. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to sign application, submitted by WEB Water for occupancy of County 21 in Sec 2-T122N-R62W, Brown County, SD to install potable water line. Roll call vote: Commissioners Hansen-abstain, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to sign application, submitted by WEB Water for occupancy of Spillway Drive in Sec 19-T124N-R64W, Brown County, SD

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to install potable water line. Roll call vote: Commissioners Hansen-abstain, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese 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.

FAIRGROUND/YOUTH CAMP FEE INCREASE DISCUSSED:

Fair Manager Amy Scott, Fairgrounds Manager Kurt Smith and individuals representing Fairground/Youth Camp user groups discussed the pros and cons of increasing fees for capitol improvements.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss contracts. 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.

JRWDD PROJECT REQUEST:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign letter to the James River Water Development District Manager and Board requesting monetary assistance for bridge removal at Tacoma Park at estimated cost of \$23,092.80. All members present voting aye. Motion carried.

TECHNOLOGY SERVICE AGREEMENT:

Moved by Elliott, seconded by Hansen to approve and authorize the Chairman to sign agreement with Sivertsen Technology Inc for the purpose of providing IT Department Management, computer and technology services, effective January 1, 2012 – December 31, 2012 at \$50.00 per billable hours for technicians time actually worked at the premises, offices, or specific locations of the County. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 17, 2012.

Maxine Fischer, Brown County Auditor

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JANUARY 17, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott, Fischbach and Wiese. Chairman Sutton led the Pledge of Allegiance, followed by a moment of silence in memory of former Governor William Janklow.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of January 10, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$8,972.69; Treasurer \$11,421.35; Data Processing \$2,867.35; State's Attorney \$12,881.83; Blood Draws \$1,000.00; SVAWA Grant \$1,269.24; Maintenance \$6,172.21; Assessor \$11,411.22; Register of Deeds \$7,445.67; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$29,881.24; Coroner \$0; Jail \$29,018.09; JDC \$15,188.61; HD \$4,635.64; Welfare Office \$3,307.32; Museum \$6,539.18; Parks & Fairgrounds \$3,864.92; Fairboard \$2,286.93; Extension \$1,654.01; Weed \$659.23; Planning and Zoning \$1,943.43; Highway \$38,124.72; Communications \$20,591.93; Emergency Management \$2,949.42; Teen Court \$370.91; 24/7 Sobriety \$2,015.38; Landfill \$10,677.28; Matching Benefits: FICA \$14,459.69, Medicare \$3,381.68:

Supplies: FP Mailing Solutions \$504.00, CMRS \$5000.00, Artz Equip \$107.34, Cash-Wa \$4881.61, Heartland Paper \$671.05, Hoven Auto \$29.25, Kesslers \$398.88, Marco \$328.95, Civil Air Patrol Magazine \$195.00, Ameripride \$411.15, SD Dept of Rev \$3450.70, Glas Consulting \$56.25, Hedahls \$166.85, Lien Trans \$5838.02, North Central Farmers Elev \$12,581.23, Sheehan Mack Sales \$1505.50, Tire Dist Systems \$4970.66, Dakota Electronics \$432.49, Macs \$103.60, Premier Auto \$102.00, Runnings \$36.77, Hub City Radio \$300.00, Midwest Printing \$4.00, YMG Publications \$499.95, A&B Business \$77.45, Aberdeen Development Corp \$19,000.00, Active Data \$17,058.25, Adamsoft \$8130.07, B&B Contracting \$3284.88, Brick Propane \$21.00, Brown & Saenger \$15.95, Custom Glass \$150.00, Dakota Riggers \$259.21, Freys Electronics \$240.38, Glacial Lakes \$736.25, Integrated Imaging \$14.56, Metro Fire \$6666.85, NACO \$772.00, NACVSO \$30.00, NECOG \$20,964.15, PRCA \$950.00, Rocky Mountain Fairs Assoc \$300.00, SDACC \$5,241.72, SDACO \$3007.20, SD Redbook \$638.60, Share Corp \$202.00, Sherwin Williams \$51.17, Shreves Law Office \$89.99, State Property Mgmnt \$500.00, SWANA \$273.00, Tru Green Chemicals \$14.40, Walmart \$39.16, West Payment Center \$2645.25, WPRA Barrel Race \$110.00:

Transcriptions – Cheryl Hook \$703.25:

Publications – Aberdeen American News \$900.51:

Travel – Leo Leshner \$92.50, Gene Loeschke \$22.94, Russell Metz \$62.80:

Professional Fees – Avera St Lukes \$56.50, Avera Queen of Peace \$82.90, Language Line..\$90.00, Yankton County Treas \$415.00:

Insurance – SDPAA \$1713.00:

Utilities – City of Aberdeen \$1357.15, NW Energy \$7930.24, Northern Valley \$955.20, Dependable Sanitation \$24,126.84, Northern Elec \$2372.67, AT&T \$44.97, BIT \$298.25, Century Link \$1428.80, Northern Wireless \$149.90:

Care of Poor - Dr/Hospital (1 recipient) AMG Cardiovascular Spec \$1248.50; Utilities (1 recipient) Aberdeen City Treasurer \$138.98; Medication (7 recipients) Emergency Poor Fund \$50.00, Jones Drug \$39.99, Walmart Pharmacy \$37.73; Transportation (1 recipient) Emergency Poor Fund \$120.00; Rent (7 recipients) Foxridge Apartments \$320.00, Keith Gerving \$260.00, Hinz,Hinz & Hoffman \$300.00, Wertman Properties \$320.00, White House Inn \$200.00; Electricity (1 recipient) NWPS \$260.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Elliott to amend employee step increases in minutes of January 10, 2012, as follows: effective January 8, 2012 Patty VanMeter @ \$14.69 per hour, Craig Gardner @ \$12.91 per hour, Kathy Neitzel @ \$16.54 per hour, Jackie Ormand @ \$13.87 per hour; and further approve the following employee step increase, effective January 22, 2012: Curt Erickson @ \$13.47 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Elliott to approve hiring Angie Hagan as part-time employee at the Welfare Office, effective January 9, 2012 at \$12.44 per hour. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to acknowledge resignation of Heidi Fischer, effective January 13, 2012. All members present voting aye. Motion carried.

HAY CUTTING NOTICE:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for Hay Cutting on county land located east of the Brown County Fairgrounds, described as Lot 1 First Replat of Dahme Northview Addition in the SE ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD, to be held in the Commissioner's Chambers, Courthouse Annex at 8:45 A.M. on February 14, 2012. All members present voting aye. Motion carried.

LEASE LANDFILL LAND:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to open, read and consider proposals for the lease of available acres on the quarters of land east and west of the landfill, to be held in the Commissioners Chambers, Courthouse Annex, Brown County, SD on February 14, 2012 at 8:50 a.m. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Fischbach, seconded by Wiese to declare scrap metal from Highway Department surplus for purpose of sale. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following December 2011 Sheriff Reports: Incidents and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

VACATE PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #6-12

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

Kendall Stoddard Conservation Easement Tract 1 in the NE ¼ and NW ¼ of Sec 15-T127N-R64W of the 5th P.M., Brown County, SD

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:

Kendall Stoddard Conservation Easement Tract 1 in the NE ¼ and NW ¼ of Sec 15-T127N-R64W of the 5th P.M., Brown County, SD is hereby vacated.

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

BCBS EMPLOYEE HEALTH INSURANCE:

Gary Welter and Jen Peterson, BCBS Representatives presented summary reports for the Employee Health Insurance Coverage midway through the plan year and reviewed health care reform updates. Andrea Sjomeling, Deputy Auditor was also in attendance.

LOAD LIMIT DISCUSSION:

Paul Meyers and area residents presented input in regard to placing load limits on certain sections of Brown County #14 and Brown County #11. There was no action taken at this time.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Elliott to approve purchase of two used snow plows from the SD Department of Transportation Surplus Property List. All members present voting aye. Motion carried.

BRIDGE 230:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign Application for Department of the Army Permit to removed Bridge #230. All members present voting aye. Motion carried.

STP FUNDING SWAP AGREEMENT:

Moved by Wiese, seconded by Hansen to approve notifying the SD Department of Transportation of the County's desire to exchange the Brown County's STP Funds for federal fiscal year 2012 with state highway funds. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Elliott to go into executive session to discuss contract and potential litigation with Kim Dorsett and Gary Vetter 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.

AMBULANCE AGREEMENT DISCUSSION:

Kim Dorsett and Adam Altman recommended that the Ambulance Agreement draft between the City and the County be on the Joint City/County Meeting Agenda to be held January 23, 2012. Board concurred.

EXECUTIVE SESSION:

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

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

WATER DEVELOPMENT DISTRICT LETTER:

Moved by Wiese, seconded by Hansen to ask the South Dakota Legislature to consider re-drawing the boundaries of and renaming the current Water Development Districts. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 24, 2012.

Maxine Fischer, Brown County Auditor

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JANUARY 23, 2012 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Bunsness, Campbell, Mitchell, Kraft, Rux, Swanson and Mayor Levsen. Council Member Slight-Hansen was absent. Present from County were Commissioners Hansen, Elliott, Fischbach and Sutton. States Attorney Kim Dorsett was also present. Commissioner Wiese was absent.

VACATE PUBLIC RIGHT-OF-WAY:

On motion by Rux and seconded by Agnitsch, the City unanimously voted to approve Resolution #12-02-01R.

Commissioner Hansen offered the following Resolution:

BROWN COUNTY RESOLUTION #7-12
ABERDEEN CITY RESOLUTION #12-02-01R
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 Stephen L Bieckler, Daniel Brenner, Cindy Moser and Scott Brunmaier is hereby granted and the public right-of-way is hereby vacated for the following described areas:

The entire portion of East Drive Public Right-Of-Way extending from the East property line of Lot 1A, Premack Replat of Lot 1 of Premacks Third Subdivision extending East to Lot 3, Premacks Second Subdivision, all located in the NW ¼ of Section 14-T123N-R64W of the 5th P.M., Brown County, South Dakota.

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 Fischbach. Roll call vote: Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-absent, Sutton-aye. Resolution adopted.

ORDINANCE #12-01-02/402:

On motion by Mitchell and seconded by Kraft, the City unanimously voted to continue First Reading of Ordinance #12-01-02/402 until February 27, 2012.

Moved by Elliott, seconded by Fischbach to continue First Reading of Ordinance #12-01-02/402, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section Section 704 (R-2) Medium Density Residential District to Section 714 (M-AG) Mini-Agricultural District: Lot 13A, 18, 19A, 20 and 22, DOK-B Subdivision in the SE ¼ of Section 22-T123N-R64W of the 5th P.M., Brown County, South Dakota until February 27, 2012. All members present voting aye. Motion carried.

VACATE PUBLIC RIGHT/OF/WAY:

On motion by Mitchell and seconded by Bunsness, the City unanimously voted to set hearing to consider petition, submitted by Jason Lien to vacate public right/of/way for February 27, 2012.

Moved by Fischbach, seconded by Elliott to set joint public hearing before the Aberdeen City Council and Brown County Commission regarding a petition filed by Jason Lien for the vacation of the public

right-of-way described as follows: Dedicated right-of-way as shown on Lien Outlot B located in the SW ¼ of the SE ¼ of Section 15 and in the SE ¼ of the SW ¼ of Section 15-T123N-R64W of the 5th P.M., Brown County; Dedicated right-of-way as shown on Lien Outlot C located in the NW ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD; Dedicated right-of-way as shown as extending from Lien Outlot B west into the railroad right-of-way in the SW ¼ of Sec 15-T123N-R64W of the 5th P.M., Brown County, SD, to be held on February 27, 2012 at 5:30 p.m. in the Aberdeen City Council Chambers, 123 S Lincoln Street, Aberdeen, SD, at which time each board may approve a resolution granting the petition to vacate the public right-of-way. All members present voting aye. Motion carried.

AMBULANCE AGREEMENT:

City Attorney Adam Altman and States Attorney Kim Dorsett presented general information about status of Ambulance Agreement between the City of Aberdeen and Brown County. There was no action taken at this time.

ADJOURNMENT:

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

Maxine Fischer, Brown County Auditor

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JANUARY 24, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of January 17, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A&B Business \$467.74, Aberdeen Police Dept \$75.00, Aberdeen Rural Fire \$252.38, Active Data \$285.59, Advanced Weighing Systems \$1700.00, Area IV Nutrition \$2375.00, Best Business \$176.80, Bureau of Information \$3250.00, Butler Machinery \$192.43, Dakota Mailing \$480.54, DT Pharm \$1047.12, Ecolab Pest \$180.00, ES&S \$7476.00, Fedex \$11.00, Great North Am Co \$77.75, Heartland Paper \$113.92, Howes Oil \$25,075.50, IAFE \$750.00, Lawson Products \$83.21, Leidholt Elec \$56.12, Lewis & Clark Mental Health Center \$596.00, Marco \$130.00, Menards \$102.51, Midstates Printing \$1495.01, Virginia Mitchell \$50.00, MOCIC \$150.00, Newman Signs \$1113.00, North Central Farmers Elev \$1580.42, Parcel Erickson \$36.45, Pizza Ranch \$92.94, Sherri Rawstern \$7.99, Richards & Oliver \$85.48, Schwan Elec \$875.00, SD Sec of State \$14.00, SDN Comm \$723.00, Securius \$7000.00, Sheehan Mack Sales \$494,500.00, Sivertsen Tech \$7900.00, Ron Stotz \$40.00, Tri-State Water \$62.90, US Bank \$8732.36, West Payment Center \$1990.68:

Court Appointed Attorney: Chris Dohrer \$5770.83, Fox, Youngberg & Lewno \$150.66, Hoy Trial Lawyers \$332.10, Kuck Law Office \$5520.83, Gina Rogers \$5520.83, Christy Serr \$5770.83:

Publications: Aberdeen American News \$447.37, Groton Indep \$490.23:

Travel: City of Groton \$132.83:

Professional Fees: Sanford Clinic \$105.00:

Utilities: City of Aberdeen \$712.50, Century Link \$2387.29, Midcontinent \$297.93, Northern Elec \$1467.12, Northern Valley \$189.15, NW Energy \$511.84, Verizon \$80.27:

Care of Poor: Dr/Hospital (1 recipient) Weill Cornell Physicians \$137.06; Transportation (3 recipients) Jefferson Lines \$262.50; Rent (2 recipients) E&T Freedom Property \$320.00, SD Real Estate \$250.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve hiring Chase Dykema as a part-time JDC Correctional Officer, effective February 1, 2012 at \$11.15 per hour, approve hiring Heather Kulwicki as a full-time Jail Correctional Officer, effective February 1, 2012 at \$13.33 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Tyler Weig as a full-time employee at the Landfill, effective January 25, 2012 at \$13.36 per hour. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION #8-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Steve Dayton Addition in the E ½ of the SE ¼ of Sec 7-T121N-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 Elliott. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

LEASE AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following agreement: Northern Plains Baptist Church for lease of the Richmond Youth Camp from June 25 – July 1, 2012. All members present voting aye. Motion carried.

SENATE BILL 42:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign a Letter of Support for Senate Bill 42. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to sign the following Abatements: David Murray for Richmond Lake Sanitary District Special Assessment in amount of \$4,090.70 for 2010 and \$1,413.22 for 2011; Aberdeen Christian Fellowship for BID Special Assessment in amount of \$533.25 for 2011. All members present voting aye. Motion carried.

LANDFILL COMPACTOR GRANT REIMBURSEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign Payment Request #1 (final) in amount of \$197,800.00 for the Brown County Landfill Solid Waste Management Program Grant for the purchase of a Landfill Compactor. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Fischbach, seconded by Wiese to approve application, submitted by Stratford Community Theatre for a raffle to be held on February 24-26, March 2-4 and 9-10, 2012. All members present voting aye. Motion carried.

LANDFILL AGREEMENTS:

Moved by Hansen, seconded by Elliott to approve and authorize the Chairman to sign agreement with Leggette, Brashears and Graham, Inc. for completion of five primary tasks in 2011: 1) existing area monitoring, 2) expansion area monitoring, 3) Closed Landfill monitoring, 4) Leachate monitoring, 5) storm water monitoring, 6) general environmental/hydrogeologic consulting at the Brown County Landfill at estimated cost of \$65,861.00. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign agreement with B & B Contracting to repair two breaches in the east bottom berm, clean ditch along the east bottom berm, install sump pit and piping to the north slope of cell in total amount of \$7,525.52. All members present voting aye. Motion carried.

BID WOOD WASTE GRINDING AT LANDFILL:

Moved by Fischbach, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for 2012 Wood Waste Grinding for the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:55 a.m. on February 14, 2012. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese 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.

RECESS:

The Chairman declared the Commission recessed until January 31, 2012.

Maxine Fischer, Brown County Auditor

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JANUARY 31, 2012 – GENERAL MEETING

Meeting called to order by Vice Chairman Elliott at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Commissioner Sutton was absent. Vice Chairman Elliott led the Pledge of Allegiance.

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the Joint City/County Meeting minutes of January 23, 2012 and the General Meeting minutes of January 24, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$8,965.09; Treasurer \$11,374.88; Data Processing \$2,548.09; State's Attorney \$12,881.82; SVAWA Grant \$1,269.24; Blood Draws \$720.00; Maintenance \$6,162.02; Assessor \$11,507.25; Register of Deeds \$7,114.55; Veterans Service Office \$3,409.90; GIS \$2,005.23; Sheriff Adm \$28,801.00; Jail \$27,183.44; Coroner \$1,500.00; JDC \$14,696.12; HD \$4,560.79; Welfare Office \$4,302.52; Museum \$6,568.24; Parks & Fairgrounds \$3,864.92; Fairboard \$2,579.27; Extension \$1,082.40; Weed \$322.81; Planning and Zoning \$2,049.17; Highway \$41,445.80; Communications \$19,591.48; Emergency Management \$2,949.42; Teen Court \$494.55; 24/7 \$1,973.57; Landfill \$10,600.23; Matching Benefits: FICA \$14,430.76, Medicare \$3,374.94, Life \$557.34, Dental \$5,644.80, Health Ins \$85,762.58, Retirement \$29,567.84:

Supplies: A&B Business \$9.90, Aberdeen Plumbing & Htg \$202.17, ATSSA \$240.00, Best Business Products \$133.32, Borns Group \$827.24, Brick TV & Appliance \$221.86, Bureau of Information \$2750.00, Court Street Lighting \$52.14, Crawford Trucks \$31.00, Crescent Electric Supply \$66.24, Dakota Oil \$278.10, Danko \$445.84, Dex Media East \$48.00, Fordham Signs \$84.00, Groton Fire Dept \$592.00, Heartland Paper \$65.34, Howes Oil \$25,258.40, LarJos \$346.38, Lien Transportation \$941.25, Locators & Supplies \$78.03, McFarland Supply \$18.46, Midstates Printing \$82.69, Mobile Electronic Service \$354.04, Northeast Council of Govt \$1103.38, SD Dept of Revenue \$1345.00, SDACHS \$80.00, SDPAA – Hagen Ins Group \$915.00, Jeff Vilhauer \$716.87:

Court Appointed Attorney – Fox, Youngberg & Lewno \$171.16, Christy Serr \$22.75:

Transcriptions – Tammy Erickson \$93.50:

Publications – Aberdeen American News \$182.33:

Travel – EVAWI \$445.00, Executive Mgmt Finance Office \$1385.16, Extension Service \$48.94, Gene Loeschke \$168.72:

Professional Fees – Avera St Lukes \$4393.61, Carlsen Funeral Home \$55.59, Dakota Imaging \$12.17, Lincoln Co Sheriff \$17.00, Sanford Clinic \$267.25, SDDOT \$238.38, Brule Co Sheriff \$12.00, Cass Co Sheriff \$26.00, Kristi Spitzer \$1125.00:

Utilities – AT&T Mobility \$301.62, Century Link \$43.96, Midcontinent Cable \$160.13, Montana Dakota Utilities \$32.53, Northwestern Energy, \$9905.46, Web Water \$61.97:

Care of Poor – Dr/Hospital (4 recipients) Avera St Lukes \$14156.90; Medication (1 recipient) Kmart \$23.06; Transportation (2 recipients) Aberdeen Advanced Care \$227.77; Rent (1 recipient) Ray Sauerwein \$260.00; Utilities (2 recipients) Aberdeen City Treasurer \$101.98. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective February 5, 2012: Ben Smith @ \$17.93 per hour, Anthony Sorenson @ \$17.93 per hour, Amber Johnson

@ \$14.83 per hour, Jennifer White @ \$14.26 per hour, Kevin Ernst @ \$13.72. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Tanya Mitchener as Jail/JDC Nurse, effective February 13, 2012 at pro-rated annual salary of \$41,501. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Wes Graff as Deputy Sheriff, effective February 13, 2012 at \$16.72 per hour; and further acknowledge resignation of Keith Baker, effective February 18, 2012. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following employee classification changes, effective February 6, 2012: Brad Nehlich and Bryan Owens from Labor Grade 3 to Labor Grade 4 at \$14.45 per hour. All members present voting aye. Motion carried.

REMOVE BURN BAN:

Commissioner Fischbach offered the following Resolution:

RESOLUTION 9-12

WHEREAS, Resolution #85-11, a Resolution by the Brown County Board of Commissioners declaring a fire danger emergency and prohibiting open burning within the County was adopted on October 11, 2011, and

WHEREAS, Resolution #85-11 authorizes the Brown County Board of Commissioners to rescind the Open Burning Ban, and

WHEREAS, sufficient moisture has been received in Brown County to decrease the fire danger emergency.

NOW THEREFORE, BE IT RESOLVED that the Brown County Board of Commissioners rescinds Resolution #85-11, removing the open burn ban, effective January 31, 2012.

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

LEASE AGREEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following agreements: Dan Stucker (Roller Derby Team) for lease of the Club House every Wednesday from January 18 – April 4, 2012; 4H Camp for lease of the Richmond Lake Youth Camp Lodge on June 10-16, 2012; American Cancer Society/Midwest Division for lease of the Expo Building on June 1, 2012. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign the following Abatements: Steven Wander @ \$65.27 (house fire); Brown County @ \$38.38 (tax deed); Claremont City @ \$18.29 (tax exempt); Richard Merriman @ \$1075.02 (owner/occupied); Aberdeen Mobile Home Park @ \$47.94 (MH condemned); Kevin Braun @ \$80.08 (SW double assessment). All members present voting aye. Motion carried.

PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #10-12

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Budget Furniture – J Gross Outlots in the NW ¼ of Sec 22-T123N-R63W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

BID - WEED CHEMICALS:

Moved by Fischbach, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for chemicals for Brown County Weed and Pest Board, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on February 21, 2012 at 8:45 a.m. All members present voting aye. Motion carried.

OPERATING TRANSFERS:

Moved by Wiese, seconded by Hansen to transfer interest from General to individual funds as current revenue; and further per Commission Policy transfer out to General Fund: #201 Highway @ \$5,060.85; #504 Solid Waste @ \$13,936.79; #207 Communications @ \$545.01; #226 Emergency Management @ \$155.72, #101 General @ \$19,698.37 (excluding Richmond Lake Youth Camp Fund #243). All members present voting aye. Motion carried.

SMALL APPLIANCE POLICY:

Moved by Hansen, seconded by Wiese to rescind the Small Appliance Policy, effective September 1, 2008 and adopt the following Small Appliance Policy, effective February 1, 2012:

BROWN COUNTY SMALL APPLIANCE POLICY

Individual electric heaters, light bulb heated aroma cauldrons, and candles shall be prohibited in all offices. All small appliances that cook food or brew beverages shall be unplugged at the end of each workday. All small appliances will be removed from any department where an appliance causes an emergency situation or concern.

All members present voting aye. Motion carried.

LETTER OF SUPPORT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign a Letter of Support for House Bill 1250. All members present voting aye. Motion carried.

BID – HOT MIX, GRAVEL AND EQUIPMENT RENTAL:

Moved by Fischbach, seconded by Wiese 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 8:50 a.m. and Gravel Material at 8:55 a.m. on February 21, 2012; and Rental of Equipment at 8:45 a.m. on March 6, 2012. All members present voting aye. Motion carried.

BID AWARD - CULVERTS:

Moved by Wiese, seconded by Fischbach to award low bid, submitted by TrueNorth Steel Company (formerly Huron Culvert & Tank Company), Huron for furnishing and delivery of metal culverts and bridge material, as bid by Beadle County on January 5, 2012; rejecting bid submitted by Central Culvert Supply, Pierre (full tabulation sheet available for public inspection at Auditor's Office). All members present voting aye. Motion carried.

BRIDGE 230:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Agreement with B&B Contracting for the demolition of Bridge 230 and place rubble on shore in amount not to exceed \$18,000.00. All members present voting aye. Motion carried.

JACKSON HEIGHTS APARTMENTS:

Bryan Samson, Aberdeen Housing Authority discussed new construction of a housing project – Jackson Heights Apartments and requested fees at the Landfill be waived. Moved by Wiese, seconded by Hansen to authorize Mike Scott, Landfill Manager to waive construction scrap fees at the Landfill for the Jackson Heights Apartments Project. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for October – December 2011.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel and litigation 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 February 7, 2012.

Maxine Fischer, Brown County Auditor

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FEBRUARY 7, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Elliott to approve the General Meeting minutes of January 31, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A&B Business \$167.23, A-1 Locksmith \$48.00, AOSNC \$3465.00, Bakken Maint \$500.00, Bricks Roto Rooter \$800.00, Alison Buechler \$65.00, Butler Machinery \$69,166.45, Clark Eng \$5683.46, Crawford Trucks \$3713.57, Crescent Elec \$88.90, Cunningham Elec \$418.12, Dak Electronics \$2414.00, Ecolab \$205.00, Gillund Ent \$173.76, GovConnect \$12,517.02, Great Western Tire \$9585.96, Hecla Impl \$49.50, House of Glass \$266.81, Hub City Radio \$300.00, Janitor's Closet \$324.00, Langa \$118.00, Leidholt Elec \$55.79, Lien Trans \$744.50, Mac's \$30.44, Marco \$359.68, McLeods Printing \$275.14, Menards 197.31, Midstates Printing \$2946.78, Midwest Rubber Stamp \$276.10, Nat'l Emergency Number Assoc \$130.00, North Central Farmers Elev \$12,655.44, Pierson Ford \$890.75, Runnings \$3462.24, SD Dept of Rev \$3305.54, SD Law Review \$33.02, Hagan Ins \$278.00, Sheehan Mack Sales \$29,831.47, Sivertsen Tech \$4779.96, Spillman Tech \$121,139.00, Taylor Laundry \$105.50, Tyler Tech \$29,804.26:

Court Appointed Attorney: Chris Dohrer \$87.00, Horn Law Office \$45.00, Kuck Law Office \$20.00, Gary Mikelson \$54.00, Jerry Pollard \$45.00, Gina Rogers \$677.00, Christy Serr \$21.00:

Transcriptions: Kristi Brandt \$173.00:

Publications: Aberdeen American News \$371.20, Groton Indep \$172.06:

Travel: Scott Meints \$205.30, Patti Woods \$52.00:

Professional Fees: Avera St Lukes \$3089.35, Lincoln County \$26.49, Donna Dietrich \$361.78, Marv Ekeren \$15.00, Joan Kittelson \$15.00, Cathy Reh fuss \$18.00, Karen Swanda \$48.00, witness fees \$2500.00:

Utilities: City of Aberdeen \$1019.03, AT&T \$2055.30, James Valley \$400.05, Northern Valley \$881.71, NW Energy \$1586.34, Town of Frederick \$38.10, WEB \$63.97,

Care of Poor: Dr/Hospital (4 recipients) Avera St Lukes \$7501.13, Dental Center \$176.00; Medication (1 recipient) United Clinic Pharm \$494.85; Transportation (1 recipient) Aberdeen Adv Care \$100.19; Rent (1 recipient) White House Inn \$40.00; Utilities (1 recipient) NWPS \$300.00. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign the following Abatements: Corey Mitchell @ \$80.08 (SW-house not livable); Carl Hanson @ \$634.28 (correct error). All members present voting aye. Motion carried.

NECOG ANNUAL REPORT:

Moved by Wiese, seconded by Hansen to acknowledge receipt of NECOG's 2011 Annual Report. All members present voting aye. Motion carried.

LANDFILL DOZER GRANT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #11-12

PROJECT CERTIFYING OFFICER

WHEREAS, Brown County, South Dakota, is applying for a Solid Waste Management Program grant from the State of South Dakota, Board of Water and Natural Resources, and the Department of Environment and Natural Resources;

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.

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

AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Elliott to approve the January 2012 Auditor's Report of Account with the County Treasurer in total amount of \$13,137,349.96 (total amount of actual cash @ \$23.91, Wells Fargo Bank @ \$3,621.29, US Bank @ \$47,140.06, Dacotah Bank @ \$707,098.18, Petty Cash @ \$7,509.88, Fund Investments @ \$12,368,180.55, Outstanding Checks @ \$3,776.09). All members present voting aye. Motion carried.

NOXIOUS WEED NOTICE:

Moved by Hansen, seconded by Wiese to authorize advertising the 2012 Noxious Weed Notice. All members present voting aye. Motion carried.

WEB SITE MAINTENANCE PROPOSALS:

The meeting to review proposals for Web Site Maintenance has been postponed until February 14, 2012.

SIGNING PROJECT AMENDMENTS:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign Amendments #3 and #4 for Project #PH 8007 (210), PCN 01UC LGA-156-09, Brown County Signing Project at no cost to the County. All members present voting aye. Motion carried.

BID AWARD – MOTOR OIL AND GREASE:

Moved by Elliott, seconded by Hansen to award the following bid for the Highway Department: State of South Dakota Contract #16222 with Dakota Oil for furnishing and delivery of Motor Oil and Grease, effective October 1, 2011 through September 30, 2012. All members present voting aye. Motion carried.

BID AWARD – ARTICULATING WHEEL LOADER:

Moved by Wiese, seconded by Fischbach to award the following bid for the Highway Department: State of Minnesota Acquisition Services L-331(5), Solicitation #16152 for purchase of a Case 921F Articulating Wheel Loader from Titan Machinery in amount of \$206,648.00. All members present voting aye. Motion carried.

BID – TANDEM TRUCK; BOX/HOIST; TRACK SKIDSTEER; GANG MOWERS; PUP TRAILER:

Moved by Hansen, seconded by Wiese 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: Tandem Truck at 8:45 a.m. and Box/hoist at 9:00 a.m. on March 13, 2012; Track Skidsteer at 8:45 a.m. on March 20, 2012; Gang Mowers at 8:45 a.m. on March 27, 2012; Belly Dump Pup Trailer at 8:45 a.m. on April 3, 2012. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

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

RECESS:

The Chairman declared the Commission recessed until February 14, 2012.

Maxine Fischer, Brown County Auditor

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FEBRUARY 14, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of February 7, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$8,694.50; Treasurer \$11,374.89; Data Processing \$2,556.18; State's Attorney \$12,881.83; Blood Draws \$480.00; SVAWA Grant \$1,269.24; Maintenance \$6,112.84; Assessor \$11,507.23; Register of Deeds \$7,114.56; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$27,278.71; Coroner \$0; Jail \$26,032.56; JDC \$13,239.17; HD \$4,362.77; Welfare Office \$4,302.52; Museum \$6,568.24; Parks & Fairgrounds \$3,883.33; Fairboard \$2,485.97; Extension \$1,082.40; Weed \$487.16; Planning and Zoning \$2,042.95; Highway \$35,418.10; Communications \$18,994.88; Emergency Management \$2,949.42; Teen Court \$293.20; 24/7 Sobriety \$1,942.90; Landfill \$10,881.67; Matching Benefits: FICA \$13647.11, Medicare \$3,191.61:

Supplies: A&B Business \$517.55, A&B Business Solutions \$368.95, 3D Specialists \$5104.00, Praxair \$94.66, Ameripride \$503.86, Beck Motors \$37,809.00, Brick Propane \$42.00, Cash-Wa \$6300.03, Cole Papers \$376.20, Crime Reports \$2388.00, Custom Glass \$1436.89, Dakota Oil \$2754.60, Dakota Supply Group \$48.48, Diesel Machinery \$3750.00, Economy Propane \$3863.70, GIS Workshop \$860.00, Glas Consulting \$135.00, Heartland Paper \$335.94, Hedahls \$111.93, House of Glass \$563.90, Interstate Battery System \$422.80, J Gross Equip \$1021.73, Kaleidoscope Media \$444.00, Kesslers \$329.19, Kone \$106.28, Lar-Jos \$82.00, Leidholt Elec \$1050.80, Marco \$190.85, Medtox \$622.76, Midwest Pump & Tank \$1250.51, Neves Uniforms \$3397.96, Safety Service \$109.75, SD Assoc of County Commission \$22,555.00, SD Federal Property \$400.00, Sewing Shoppe \$37.50, Sheehan Mack Sales \$931.02, Sherwin Williams \$55.58, Sivertsen Tech \$717.99, Spec Mfg \$70.04, Steven Lust \$39.64, Tire Dist System \$404.64, Travel Leaders \$548.70, Tri State Water \$29.15:

Court Appointed Attorney – Harmelink, Fox & Ravnsborg Law \$131.00, Horn Law Office \$149.60, Mark Reedstrom \$3456.95, Tschetter & Adams Law Office \$402.05:

Transcriptions – Tammy Erickson \$550.49, Wayne Swenson \$151.56:

Publications – Aberdeen American News \$1128.46, Groton Indep \$203.09:

Travel – Leo Leshar \$449.48, Gene Loeschke \$113.22, Russell Metz \$210.90, Mark Milbrandt \$526.83:

Professional Fees – Aberdeen Adv Care \$100.19, Avera Queen of Peace \$109.80, Avera St Lukes \$9394.69, Michael Brown \$255.00, Hennepin County Sheriff \$70.00, Moore Medical \$106.49, Sanford Clinic \$1539.42:

Utilities – Century Link \$50.73, Dependable Sanitation \$286.00, Northern Elec \$1934.95, NVC \$675.30, Northern Wireless \$149.90, NW Energy \$5061.92:

Care of Poor – Dr/Hospital (1 recipient) Dental Center \$46.00; Medication (5 recipients) Lori's Pharm \$159.77, Shopko \$22.75, Walmart Pharm \$64.57; Rent (2 recipients) Ron Erdmann \$320.00, Erickson Realtors \$130.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective February 19, 2012: Mary Browning @ \$17.32 per hour, Randy Kutter @ \$15.95 per hour. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve hiring Julia Grenz as Deputy Auditor for Elections, effective February 20, 2012 at \$12.44 per hour. Roll call vote: Commissioners Hansen-nay, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-nay. Motion carried.

INDUSTRIAL ACCESS GRANT:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign Industrial Park Grant Agreement with the South Dakota Department of Transportation for Project IP 012A PCN 03PJ – located on Brown County 19 (390th Ave) from 132nd Street to 131st Street in total estimated amount of \$906,000 (Molded Fiber Glass Company). All members present voting aye. Motion carried.

AGRI-BUSINESS ACCESS GRANT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman to sign Agri-Business Access Grant Agreement with the South Dakota Department of Transportation for Project IA 012A PCN 03PK – Brown County 14W located on Brown County 14W (134th Street) from US 281 to 387th Ave in total amount of \$1,500,000 (Northern Beef Packers). All members present voting aye. Motion carried.

LANDFILL COMPLIANCE REPORT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign the Annual Compliance Certification Report for the Brown County Solid Waste Landfill. All members present voting aye. Motion carried.

SWAWA –CRT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman to sign the Memorandum of Commitment for Coordinated Response Teams/Efforts in conjunction with the Stop Violence Against Women Grant Program. All members present voting aye. Motion carried.

FAIR CONTRACTS:

Moved by Wiese, seconded by Fischbach to approve and authorize Amy Scott, Fair Manager to sign the following entertainment contracts for the 2012 Brown County Fair in total amount of \$35,000.00: David Nail on August 17 and Hunter Hayes on August 16, 2012. All members present voting aye. Motion carried.

BID – FAIRGROUNDS HAY CUTTING:

Time and place, as advertised to open, read and consider sealed proposals for hay cutting on County land. Moved by Wiese, seconded by Hansen to award proposal for hay cutting on County land - approximately 34 acres east of Brown County Fairgrounds – Lot 1 1st Replat of Dahme Northview Addn in SE ¼ of Sec1-T123N-R64W, submitted by Alan Neitzel in amount of \$75.50 per acre; rejecting proposal submitted by Colin Dutenhoffer in amount of \$41.50 per acre. All members present voting aye. Motion carried.

BID – LANDFILL CROP LAND LEASE:

Time and place, as advertised to open, read and consider sealed proposals for crop land lease (2 parcels) at the Brown County Landfill. Moved by Fischbach, seconded by Wiese to award proposal for Landfill crop land lease – Parcel 1 approximately 35 acres in the NW ¼ of Sec 14-T123N-R65W, submitted by G & B Farms in amount of \$199.50 per acres; rejecting proposals submitted by Shawn Gengerke @ \$106.10 per acre, Lois Pletten @ \$150.00 per acres, Colin Dutenhoffer @ \$110.00 per acre; Parcel 2 approximately 129 acres in the NW ¼ of Sec 13-T123-R65W, submitted by G & B Farms in amount of \$199.50 per acres; rejecting proposals submitted by Shawn Gengerke @ \$106.10 per acre, Lois Pletten @ \$136.00 per acres, Colin Dutenhoffer @ \$105.50 per acre. All members present voting aye. Motion carried.

BID – WOOD WASTE GRINDING:

Time and place, as advertised to open, read and consider bids for wood waste grinding at the Landfill. Moved by Hansen, seconded by Wiese to award bid, submitted by Dakota Wood-Grinding Inc, Rosemount, MN (only bid received) in amount of \$525.00 per hour with \$1,800.00 mobilization fee. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign contract with Dakota Wood-Grinding Inc for completion of wood waste grinding at the Brown County Landfill. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Wiese, seconded by Elliott to authorize Sheila Enderson, County Treasurer to cancel contract for partial payments for taxes (as authorized by SDCL 10-21-7) due to non-payment on the James Street Smiths 1st Addn lots 301, 303 and 305 in Columbia City and proceed with Tax Deed process. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to authorize Sheila Enderson, County Treasurer to cancel contract for partial payments for taxes (as authorized by SDCL 10-21-7) due to non-payment on the Lot 3 Block 7 Green Meadows Addn to Warner and proceed with Tax Deed process. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Elliott to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$1000.00 down by Feb 29 and \$250.00 per month, effective March 31, 2012 on Lot 6 Block 50 Bennett & Thomas Addn to Aberdeen. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$2500.00 down and \$300.00 per month, effective March 31, 2012 on Lot 11 Block 12 Highland Park Addn to Aberdeen. All members present voting aye. Motion carried.

WEB SITE MAINTENANCE DISCUSSION:

John McQuillen and Paul Sivertsen requested additional time to review the Web Site Maintenance proposals.

TACOMA PARK BRIDGE:

Commissioner Elliott discussed the Tacoma Park Bridge removal. Jan Weismantel was also in attendance.

DRAINAGE DISCUSSION:

Orville Crawford met to discuss drainage, but another gentleman he had expected to speak did not attend the meeting.

HIGHWAY UPDATE:

Jan Weismantel presented an update on the immediate need for load limits and advised the Commission to postpone discussion until next week.

EXECUTIVE SESSION:

Moved by Weise, seconded by Elliott to go into executive session for contract and litigation 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 February 21, 2012.

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

FEBRUARY 21, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of February 14, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Northern Beef \$495,000.00, Aberdeen Ins Agency \$80.00, Aberdeen Plumbing/Heating \$116.13, Auto Glass Solutions \$40.00, Best Business \$176.80, Carquest \$1746.62, Claritus \$495.00, CMRS \$5000.00, Cole Papers \$1612.82, Dakota Auto Body \$1098.25, Jeffrey Deiss \$50.00, Digicert \$1425.00, DT Pharm \$2772.91, Earthgrains \$1650.16, Farm Power \$250.79, Frey's Electronics \$1185.30, Gardner Locksmith \$7.50, GCR Tire \$146.00, GovConnection \$729.84, Great North Am Co \$125.55, Heartland Paper \$192.68, Howes Oil \$26121.40, Intoximeter \$248.50, James River Watershed Dist \$6566.78, Language Lines \$90.00, Lewis & Clark BHS \$510.00, Marco \$105.11, McLeods Printing \$95.59, Richard Merriman \$1075.02, Midstates Printing \$75.00, Midwest Alarm \$349.00, Mobile Electronic Service \$4493.00, North Central Farmers Elev \$4058.49, Overhead Door \$336.74, Police Legal Sciences \$1920.00, Pumps Tire \$17.50, SD Assoc of County Commissioners \$12,460.28, SDDOT \$696.48, Sewer Duck \$336.00, Spot Freight \$1585.00, TSC \$106.95, West Payment Center \$1507.39:

Court Appointed Attorney – Gary Mikelson \$410.00:

Publications – Groton Indep \$108.80:

Travel – City of Groton \$30.71, Nyle Jensen \$9.00, Mark Milbrandt \$9.00, Mike Scott \$18.00:

Professional Fees – Avera St Lukes 1235.74, Jeanne Collison \$15.00, Donna Dietrich \$451.85, NE Mental Health \$1378.00, Pennington County Sheriff \$481.60, Cathy Rehfuß \$30.00, Sivertsen Tech \$5775.00, Karen Swanda \$45.00, Tyler Tech \$16,767.93:

Utilities – City of Aberdeen \$636.12, Bureau of Admin \$293.56, Century Link \$1378.07, Dependable Sanitation \$165.00, City of Hecla \$165.90, Northern Electric \$27.00, NW Energy \$2521.37:

Care of Poor – Rent (2 recipients) Marwin Hofer \$260.00, Ray Sauerwein \$260.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Elliott to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the months of December 2011 and January 2012: Jan Weismantel – 192 @ \$102.02, Markus Selzler – 231 @ \$124.11, Kendell Titze – 228 @ \$121.68, Mark Wendt 888 @ \$472.32, Michael Scott – 340 @ \$180.15. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the following employee classification change, effective March 4, 2012: Dana Breske from Labor Grade 3 to Labor Grade 4 at \$14.09 per hour. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Hansen to declare the bridge rail from the dismantled Tacoma Park Bridge surplus for sale. All members present voting aye. Motion carried.

COMBINED ELECTION AGREEMENT:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman sign Agreement between Brown County, Aberdeen School District 6-1 and the City of Aberdeen for the purpose of conducting a combined election as provided under the provisions of SDCL 9-13-37, 13-7-10.3 and 12-2-5 on June 5, 2012. All members present voting aye. Motion carried.

LANDFILL CROP LAND LEASE:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign contract with G & B Farms for Landfill crop land lease – Parcel 1 approximately 35 acres in the NW ¼ of Sec 14-T123N-R65W; Parcel 2 approximately 129 acres in the NW ¼ of Sec 13-T123-R65W. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following January 2012 Sheriff Reports: Incidents and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities; and further approve the 2011 Annual Sheriff Report. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Elliott to go into executive session for contract discussion with Kim Dorsett in attendance. All member 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 2012. Bids were received from VanDiest Supply Company, Norfolk, NE and Hefty Seed Company, Aberdeen, SD. Moved by Fischbach, seconded by Hansen to refer bids to Brown County Weed and Pest Supervisor Mike Rohrbach for tabulation and recommendation. All members present voting aye. Motion carried.

BID – ASPHALT CONCRETE PLANT MIX:

Time and place, as advertised to open, read and consider bids for Asphalt Concrete Plant Mix. Moved by Elliott, seconded by Wiese 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 \$67.80 per ton and Class "D" Type I (3/4 inch) in amount of \$67.80 per ton; Lien Transportation - Class "D" Type II (1/2 inch) @ \$67.85 per ton and Class "D" Type II (3/4 inch) @ \$67.85 per ton; Serocki Excavating - Class "D" Type II (1/2 inch) @ \$68.00 per ton and Class "D" Type II (3/4 inch) @ \$68.00 per ton. All members present voting aye. Motion carried.

BID – GRAVEL MATERIAL:

Time and place, as advertised to open read and consider bids on Gravel Material. Moved by Fischbach, seconded by Wiese 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.

LOAD LIMIT RESOLUTION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #12-12

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

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

SEASONAL LOAD RESTRICTIONS:

Moved by Fischbach, seconded by Wiese to approve the following seasonal load restrictions for 2012: The Brown County Highway Department seasonal load restrictions will go into effect Tuesday, March 1, 2012, 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 over-width 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 around the City of Aberdeen:

Road #4 from 24th Ave north 1.0 mile to County Road #13;
Road #10 from County Road #13 (Prairiewood Road) south 1.0 mile to Road #15;
Road #10 from County Road #19 (Melgaard Road) south 1.0 mile to County Road 14W;
Road #12 from 24th Ave NE 1 mile to County Road #13;
Road #12W will not be posted from County Road #19 east to US Highway 281 (2 miles);
Road #12WA from U S Highway 12 north 2.0 miles;
Road #13 from County Road #14 west 5.0 miles to U S Highway 281;
Road #15 from U S Highway 281 east 1 mile to County Road #10;
Road #15 from 385th Ave east .50 miles;
Road #15 from County Road #12 (Roosevelt Road) east 1.0 mile to County Road #19;
Road #19 from the jct. of County Road #19 and County Road #17 (8th Ave NE) north 1.0 mile to County Road #15;

Other Brown County Roads that are not posted are:

Frederick Main Street from U S Highway #281 east 0.5 miles to the Frederick City limits;
Road #7 from U S Highway 281 east 1.0 mile to Barnard and County Road #10;
Road #9 from U S Highway 281 east 1.0 mile to Westport and County Road #10;
Road #9 from State Highway #37 east 7.0 miles to Brown/Marshall County line;
Road #11 from County Road #16 west 10.0 miles to U S Highway 281;

Road #11 .5 miles east of State Highway #37 to Huffton;
 Road #11 from US Highway 281 east to County Road #16 east (10 miles);
 Road #12WB from U S Highway 12 north to County Road #12W;
 Road #14 from County Road #11 south 10.0 miles to U S Highway #12;
 Road #14 from County Road #11 south to County Road #13 (7 miles);
 Road #16 from the town of Columbia south 0.5 miles to County Road #11;
 Road #20 from County Road #9 south .02 miles to the railroad tracks;
 Road #23 from U S Highway 281 east 1.0 mile to Warner and County Road #10;
 Road #23 from U S Highway 281 west .25 miles;
 Road #23B from the Town of Ferney west to State Highway 37;
 Road #27 from Highway 281 west 2.0 miles to the town of Mansfield.
 All members present voting aye. Motion carried.

MAXIMUM WEIGHT LIMITATION ON BRIDGES:
 Commissioner Fischbach offered the following Resolution:

RESOLUTION #13-12

WHEREAS, SDCL 32-22-47 authorizes the board of county commissioners to erect and maintain at a point on the right-of-way and within one hundred feet of both entrances to any bridge and may, where they deem necessary, erect and maintain at the nearest intersection in each direction from any bridge, upon any public highway which it is the duty of the boards to maintain and repair, a conspicuous sign in large numerals, the maximum weight of any vehicle, laden or unladen, which may enter upon or cross over such bridge, and

WHEREAS, SDCL 32-22-50 authorizes any peace officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to weigh the same.

NOW, THEREFORE BE IT RESOLVED by the Brown County Commission, pursuant to SDCL 32-22-34 the following bridges shall be posted with the maximum weight of any vehicle, laden or unladen, which may enter upon or cross over such bridge, and

FURTHER, BE IT RESOLVED, pursuant to SDCL 32-22-50 the Brown County Commission requests the South Dakota Department of Public Safety and the South Dakota Highway Patrol to enforce any and all bridge weight limits as posted: BR006 New Hope Twp; BR008 Highland Twp; BR021(closed) and BR268A Warner Twp; BR025 Savo Twp; BR032 Aberdeen Twp; BR045 Gem Twp; BR066, BR068 and BR069 East Rondell Twp; BR080 (closed), BR081, BR082 (closed), BR087 and BR259 Garden Prairie Twp; BR091, BR093, BR098, BR104, BR114 and BR118 East Hanson Twp; BR117, BR123 and BR124 West Hanson Twp; BR132, BR138, BR142 and BR145 Groton Twp; BR425 Westport Twp; BR180 (closed) Franklyn Twp; BR197 Frederick Twp; BR204 Allison Twp; BR211 Osceola Twp; R232 Putney Twp; BR234 Cambria Twp; BR238 and BR278 Columbia Twp; BR245 North Detroit Twp; BR346 Hecla Twp; BR352 Ravinia Twp.

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

BRIDGE RE-INSPECTION:
 Commissioner Fischbach offered the following Resolution:

RESOLUTION #14-12 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 Clark Engineering Corporation 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.

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

STRIPING AGREEMENT:

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

FORCE ACCOUNT AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Force Account Agreement with the SD Department of Transportation for restoration of damages to the County's Federal Aid Highway System from Traditional Flooding Projects (6) dated March 15, 2011 and Basin Flooding Projects (2) dated April 18, 2011. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Hansen, seconded by Wiese to approve transferring a 1991 Melroe Bobcat Skidsteer Model 743B Loader (Decal #1836) from the Highway Department to the Maintenance Department. All members present voting aye. Motion carried.

4-H MEMORANDUM OF UNDERSTANDING:

Becca Wolf, Brown County 4-H Advisor discussed the 4-H Memorandum of Understanding and sign for the building on 1st Ave SE. No action was taken by the Commission at this time.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel and 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 February 28, 2012.

Maxine Fischer, Brown County Auditor

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FEBRUARY 28, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Elliott to approve the General Meeting minutes of February 21, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$7,846.87; Treasurer \$11,374.88; Data Processing \$2,292.58; State's Attorney \$12,881.82; SVAWA Grant \$1,269.24; Blood Draws \$800.00; Maintenance \$6,056.67; Assessor \$11,507.23; Register of Deeds \$7,114.55; Veterans Service Office \$3,191.84; GIS \$2,005.23; Sheriff Adm \$35,529.64; Jail \$30,125.90; Coroner \$0; JDC \$13,444.91; HD \$4,351.06; Welfare Office \$4,302.52; Museum \$6,568.24; Parks & Fairgrounds \$3,883.33; Fairboard \$2,541.95; Extension \$1,082.40; Weed \$140.22; Planning and Zoning \$2,042.95; Highway \$36,698.98; Communications \$18,706.07; Emergency Management \$2,949.42; Teen Court \$427.43; 24/7 \$1,964.64; Landfill \$11,041.04; Matching Benefits: FICA \$14,501.95, Medicare \$3,391.61, Life \$573.30, Dental \$5,715.36, Health Ins \$86,300.04, Retirement \$28,654.02:

Supplies: A&B Business \$64.25, Academy Trophy \$12.00, Ag & Biosystems Eng \$50.00, B&B Contracting \$18,000.00, Best Business \$133.32, Brown County \$14.00, Carlsen Funeral Home \$269.85, Dex Media \$48.00, Graham Tire \$14.00, Heartland Paper \$436.13, K-Mart \$5.00, McFarland Supply \$466.05, Mitel Tech \$220.00, NESDCAP \$4750.00, RDJ Spec \$549.13, SDACC \$100.00, Sivertsen Tech \$32.00, US Bank \$18,639.05, Webb Shoes \$4212.66:

Transcriptions – Richard Neal \$61.20:

Court Appointed Attorney – Chris Dohrer \$5770.83, Kuck Law Office \$5520.83, Gina Rogers \$5520.83, Christy Serr \$5770.83, Yankton County \$331.75:

Publications – American News \$450.46, Dakota Press \$1342.33:

Travel – Gary Vetter \$98.42:

Professional Fees – Barnes County \$1868.72, Sanford Clinic \$35.00, Sheriff of Yankton County \$25.00:

Utilities – AT&T \$48.66, Century Link \$2377.39, Dependable Sanitation \$21,070.72, Midcontinent Cable \$220.13, Montana Dakota \$34.50, NW Energy \$721.14, Verizon \$80.27:

Care of Poor – Rent (3 recipients) Erickson Realtors \$260.00, Hunstad Rentals \$260.00, Aberdeen Mobile Home Park \$245.00; Dr/Hospital (1 recipient) Dental Center \$117.00; Transportation (1 recipient) Jefferson Lines \$100.00; Medications (1 recipient) Kmart \$5.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve the following employee step increases, effective March 4, 2012: Cindy Mitchell @ \$16.55 per hour, Joseph Embury @ \$14.56 per hour, JoAnn Sheffield @ \$13.71 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Heather Morrison and Jessie Guthmiller as Dispatchers, effective March 5, 2012 at \$13.62 per hour.

Moved by Wiese, seconded by Elliott to approve employee status change from part-time to regular part-time for Tyann Baloun and Anne Kusler, effective March 4, 2012 at \$11.15 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to acknowledge Jesse Milbrandt for the sheriff's office and jail SAA (Spillman Application Administrator). All members present voting aye. Motion carried.

COUNTY RANGELAND FIRE PROTECTION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #16-12 RANGELAND FIRE PROTECTION

WHEREAS, SDCL 41-20-8.1 authorizes the South Dakota Wildlife Coordinator to assist in fighting range fires throughout the State, but only if a county submits a formal request; and

WHEREAS, Brown County appoints individuals periodically and submits a County Designee Report annually to the SD Department of Agriculture for the purpose of rangeland fire suppression assistance.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission name the following designees, as authorized by SDCL 41-20-8.1 for purpose of requesting assistance from the SD Wildlife Coordinator in fighting rangeland fires in Brown County: Tom Fischbach, Scott Meints and Patti Woods.

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

FAIR CONTRACT:

Moved by Wiese, seconded by Fischbach to approve and authorize Amy Scott, Fair Manager to sign the following entertainment contract for the 2012 Brown County Fair in amount of \$100,000.00: Dierks Bentley on August 18, 2012. All members present voting aye. Motion carried.

CHEMICAL BID:

A Chemical Bid from Alligare LLC, Opelika AL was submitted by 8:45 a.m. on February 21, 2012, but inadvertently not opened last week. Moved by Fischbach, seconded by Elliott to refer bid from Alligare LLC to Mike Rohrbach to include in review and recommendation of Chemical Bids for the 2012 Weed Spraying season. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION #17-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Richmond Sunsets Addition in the NW ¼ of Sec 14-T124N-R65W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

RESOLUTION #18-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Scott Suelz Addition in the S ½ of the SW ¼ of Sec 2-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 Hansen. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #19-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "John Jave Tract 1 in the S ½ NE ¼ of 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 of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

RESOLUTION #20-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Thomas and LaVonne Appletoft Tract 1 in the NE ¼ NE ¼ of 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 of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

RESOLUTION #21-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Steven and LaVonne Schaeffer Tract 1 in the NW ¼ NE ¼ of 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 of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

RESOLUTION #22-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Harry Implement Addition to the Town of Ferney in the SW ¼ of Sec 31-T122N-R60W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

ER PROJECT ADDENDUM:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign 2009 ER Project Agreement 613588 Addendum #2, which increases the amount of ER funds available to Brown County for 2009 Flood Event by \$16,908.76. All members present voting aye. Motion carried.

CONTRACTS:

Moved by Wiese, seconded by Hansen to authorize the Chairman to sign contracts for material, supplies and rental of equipment bids for the Highway Department, as they are presented. All members present voting aye. Motion carried.

DACOTAH PRAIRIE MUSEUM ANNUAL REPORT:

Sue Gates, Museum Director presented the Dacotah Prairie Museum 2011 Annual Report.

COUNTY 16 DRAINAGE PROJECT:

Moved by Elliott, seconded by Wiese to proceed with County 16 Drainage Project with reimbursement from Mike Elsen. All members present voting aye. Motion carried.

SURPLUS SALE SET:

Moved by Wiese, seconded by Hansen to set Brown County Surplus Sale for May 18, 2012, to be held at the Brown County Highway Department. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Elliott to approve purchase of 1979 Water Tanker Trailer from SD Federal Surplus in amount of \$7,950.00 (Box Elder surplus site). All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare a CSS1H tank surplus for disposal at the Brown County Landfill. All members present voting aye. Motion carried.

MEMORANDUM OF UNDERSTANDING:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman to sign a Memorandum of Understanding with SDSU Extension for cost share of 4-H Advisor position in Brown County. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session to discuss contracts 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 March 6, 2012.

Maxine Fischer, Brown County Auditor

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The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Bunsness, Campbell, Mitchell, Kraft, Rux, Slaight-Hansen, Swanson and Mayor Levsen. Present from County were Commissioners Elliott, Fischbach, Wiese and Sutton. Commissioner Hansen was absent.

ORDINANCE #12-01-02/402:

On motion by Mitchell and seconded by Kraft, the City unanimously voted to adopt First Reading of Ordinance #12-01-02/402.

Moved by Fischbach, seconded by Elliott to adopt First Reading of Ordinance #12-01-02/402, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section Section 704 (R-2) Medium Density Residential District to Section 714 (M-AG) Mini-Agricultural District: Lot 13A, 18, 19A, 20 and 22, DOK-B Subdivision in the SE ¼ of Section 22-T123N-R64W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

VACATE PUBLIC RIGHT/OF/WAY:

On motion by Agnitsch and seconded by Campbell, the City unanimously voted to adopt Joint Resolution to vacate public right/of/way.

Commissioner Wiese offered the following Resolution:

BROWN COUNTY RESOLUTION #15-12

ABERDEEN CITY RESOLUTION #12-02-01R

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 Jason Lien and Brown County is hereby granted and the public right-of-way is hereby vacated for the following described areas:

- Dedicated right-of-way as shown on Lien Outlot B located in the SW ¼ of the SE¼ of Section 15 and in the SE ¼ of the SW ¼ of Section 15-T123N-R64W of the 5th P.M., Brown County.
- Dedicated right-of-way as shown on Lien Outlot C located in the NW ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD
- Dedicated right-of-way as shown as extending from Lien Outlot B west into the railroad right-of-way in the SW ¼ of Sec 15-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 Elliott. Roll call vote: Hansen-absent, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

ADJOURNMENT:

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

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

MARCH 5, 2012 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

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

ORDINANCE #12-01-02/402:

On motion by Bunsness and seconded by Rux, the City unanimously voted to adopt Ordinance #12-01-02/402.

Moved by Fischbach, seconded by Elliott to adopt Ordinance #12-01-02/402, An Ordinance to amend 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 714 (M-Ag) Mini-Agricultural District: Lots 18, 20 and 22, DOK-B Subdivision and Lots 13A and 19A, DOK-B Second Subdivision in the SE ¼ of Section 22-T123N-R64W of the 5th P.M., Brown County, South Dakota. Roll call vote: Commissioners Elliott-aye, Fischbach-aye, Sutton-aye, Hansen-absent, Wiese-absent. Ordinance adopted.

SET HEARING DATE:

On motion by Mitchell, seconded by Agnitsch, the City unanimously voted to set hearing date for Ordinance No. 12-03-01/405 (Pletten Rezone).

Moved by Elliott, seconded by Fischbach to set public hearing for Ordinance No. 12-03-01/405, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District: Proposed Outlots 1 and 4, Luke's Farm Outlots in the N ½ of Sec 13-T123N-R63W of the 5th P.M., Brown County, SD; to be held on March 26, 2012 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 Elliott to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

MARCH 6, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Elliott and Fischbach. Commissioners Hansen and Wiese were absent. Chairman Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Fischbach, seconded by Elliott to approve the Joint City/County Meeting minutes of February 27 and General Meeting minutes of February 28, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Praxair Distribution \$525.92, A&B Business 179.56, Aberdeen Plumbing & Heating \$64.13, Active Data Systems \$333.70, Ameripride Services \$155.74, B&E Siding & Windows \$2800.00, Bakken Bldg Maint \$500.00, Brown County \$14.00, Crawford Trucks \$4621.89, Cunningham Electric \$1748.46, Danko \$57.05, Devnet \$16843.00, DSS Image Apparel \$779.20, Foster Grandparent Program \$950.00, Gardner Locksmithing \$40.75, Ron Glugla \$450.00, Gold N Gems \$38.97, Heartland Paper \$19.80, Hoven Auto Repair \$60.73, Howes Oil \$26181.80, Interior Design Concepts \$383.63, J&K Painting \$1024.08, Kesslers \$306.33, Terry Leonhardt \$20.00, Macs \$56.43, Marco \$190.50, Matthew Bender & Co \$37.49, Menards \$117.24, Midstates Printing \$490.44, Diane Mielke \$65.26, Motorola Communications \$1153.19, New Deal Tire \$610.50, North Central Farmers Elev \$3649.39, Pheasantland Industries \$952.82, Pizza Ranch \$84.95, Powerplan \$1365.57, Quality Welding \$13.00, Runnings \$502.80, Schwan Welding \$115.00, SD Dept of Revenue \$4739.98, Sivertsen Technology \$1841.65, US Postmaster \$3701.94, Walmart \$36.00, Web Shoe Co \$600.00, Woodman Refrigeration \$247.56:

Transcriptions – Tammy Erickson \$119.00:

Court Appointed Attorney – Gina Rogers \$408.00:

Publications – American News \$306.02, Groton Independent \$369.96:

Travel – Richard Hansen \$118.40, SD Teen Court Assn \$315.00, SDAAO \$600.00, Michael Wiese \$14.80:

Professional Fees – Clark Engineering \$300.00, Tammy Erickson \$192.00, Genius Web \$118.00, Helms & Associates \$5553.65, Language Line Services \$119.70, McCook County Auditor \$196.80, Sivertsen Technology \$5400.00, Kristi Spitzer \$435.00:

Utilities – City of Aberdeen \$1031.77, AT&T \$2218.34, Century Link \$43.96, James Valley Cooperative \$458.49, Midcontinent Communications \$155.26, Northern Valley Communications \$628.93, Northwestern Energy \$9891.92, Web Water \$128.13:

Care of Poor – Rent (2 recipients) Builders Management & Investment \$260.00, Zumbaum Property Mgmt \$260.00; Dr/Hospital (1 recipient) Dental Center \$117.00. All members present voting aye. Motion carried.

ORDINANCE 074:

Moved by Fischbach, seconded by Elliott to authorize advertising public hearing to be held at 9:00 a.m. on March 27, 2012 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of the following: Ordinance #074, An Ordinance to Repeal Title 9 of the Second Revision Brown County Ordinances concerning Drainage Permits. All members present voting aye. Motion carried.

ORDINANCE 075:

Moved by Fischbach, seconded by Elliott to authorize advertising public hearing to be held at 9:05 a.m. on March 27, 2012 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of the following: Ordinance #075, An Ordinance to adopt Title 9 of the Second Revision Brown

County Ordinances – 2012 Revised Drainage Ordinance. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Fischbach, seconded by Elliott to approve the following lease agreements: National Professional Rodeo Association for lease of the Expo Building April 27-29, 2012; Aberdeen Home Builders Association for lease of the Holum Expo Building March 31 – April 1, 2012; Barb Vetter (Farmer's Union Camp) for lease of the Richmond Lake Youth Camp July 8 – 11, 2012. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Elliott, seconded by Fischbach to approve the February 2012 Auditor's Report of Account with the County Treasurer in total amount of \$12,208,057.75 (total amount of actual cash @ \$3,800.00, Wells Fargo Bank @ \$3,621.29, US Bank @ \$62,478.94, Dacotah Bank @ \$653,219.10, Petty Cash @ \$7,509.88, Fund Investments @ \$11,477,428.54). All members present voting aye. Motion carried.

BID – RENTAL OF EQUIPMENT OPEN AND AWARD:

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 2012. Bids were received from Aberdeen Asphalt; Kevin Bourdon Trucking; Herb Dabbert Trucking; Hanlon Brothers; Hollaway Construction; Howell Trucking; HF Jacobs & Son Construction; B&B Contracting; Lien Transportation; Fred Ludwig Trucking; Odland Construction & Gravel; Jerde-Hjermstad LLC; Hastings Land & Cattle; BW Morrison; Lynn & Laura Hanson; Asphalt Recycling Solutions; Kreich Construction; Winburn Trucking; Dahme Construction, Schmidt Construction; Johnson Gravel; Dean Rogers; Slaughter Construction.

Moved by Fischbach, seconded by Elliott to award bids for Rental of Equipment based on availability, with written or verbal waiver required from low bidder if not available. 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.

BRIDGE 180:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign an agreement with South Dakota Department of Game, Fish and Parks (SDGFP) to cost share repairs to BR180 at Willow Dam, whereby SDGFP shall on this "one time basis" pay towards the repair costs the amount of \$30,000.00 with the County paying all costs exceeding said amount. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Elliott, seconded by Fischbach to approve and authorize the Chairman to sign application, submitted by WEB Water Development for occupancy of North Shore Drive in Sec 19-T124N-R64W of the 5th P.M., Brown County, SD to provide potable water line. All members present voting aye. Motion carried.

RICHMOND LAKE WALKING TRAIL:

Joseph Dulik, Boy Scout Troup 184 presented a proposal for a walking trail on County owned land at Richmond Lake as part of his Eagle Scout requirements, with the County providing all material and Troup 184 providing all labor. Kurt Smith, Fairgrounds Superintendent and Ken Dulik were also in attendance. The Commission, Kurt Smith and the States Attorney will review the proposal for possible action at a later date.

COUNTY ROAD 6 & 7 DRAINAGE:

Bill Edwards and Scott Dalglish met to discuss the reshaping of Brown County 6 and 7 ditches that was acknowledged in September 2011 in Franklyn and Oneota Townships. Mr. Edwards received a letter from the County stating engineering would be required to work within the County right-of-way and then a County Highway Department hired contractor would need to complete the work. Mr. Edwards requested the ability to have his private contractor do the engineering and work. The Commission acknowledged that once the engineered plan and credentials of the contractor were reviewed and approved they would consider his request.

BID – WASTE TIRE CLEANUP:

Moved by Fischbach, seconded by Elliott to authorize advertising public hearing to open, read and consider bids for the 2012 Waste Tire Cleanup at the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:15 a.m. on March 27, 2012. All members present voting aye. Motion carried.

LANDFILL SPRING RESIDENTIAL CLEANUP:

Moved by Fischbach, seconded by Elliott to approve waiving fees on all material types from Residential Users Only during the Spring Residential Cleanup at the Brown County Landfill, to be held from April 27 thru May 12, 2012. 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.

EQUIPMENT PURCHASE:

Moved by Elliott, seconded by Fischbach to approve purchase of a 16' Rugby Box and Hoist from Safety Service in amount of \$11,950.00 to be mounted on existing grapple trailer at the Brown County Landfill. All members present voting aye. Motion carried.

CHEMICAL BIDS – AWARD:

Moved by Fischbach, seconded by Elliott to award the following low bids for furnishing and delivery of Chemicals for the Weed and Pest Department, effective April 1, 2012 – November 30, 2012: Van Diest Supply Company – Bio-Mist 3+15 @ \$69.97 55 gal drum, 4# Round-Up @ \$10.03 5 gal, 4# 2-4, D Amine @ \$13.39 55 gal, Diablo @ \$28.97 2.5 gal, Embark 2-S IVM @ \$121.19 2.5 gal, Overdrive @ \$29.59 7.5 lbs, Rodeo – Aquaneat @ \$13.79 5 gal; Tempo 2 @ \$35.97 240ml; Guardian @ \$17.59 2.5 gal. Hefty Seed Company - Milestone @ \$297.28 2.5gal. Alligare LLC – MSM 60 @ \$48.80 16 oz, Alligare 90 @ \$7.05 gal, Mojave 70eg @ \$7.85 40 lb, Picloram 22K @ \$41.50 30 gal. REJECTING THE FOLLOWING: Van Diest Supply Company – Detonate @ \$43.85 gal, Excort XP @ \$35.92 8 oz, Metcel @ \$55.84 16 oz, Premier @ \$19.79 5 gal, Brewer 90-10 @ \$8.39 gal, Mojave @ \$8.19 40 lb, Tordon or Outpost 22K @ \$43.29 30 gal, Milestone @ \$299.73 2.5 gal; Hefty Seed Company – Durago DMA @ \$15.18 5 gal, 4# 2-4, D Amine @ \$14.37 55 gal, Clarifier @ \$42.59 2.5 gal, Premier 90 @ 14.29 5 gal, Rodeo – Aquaneat @ \$18.07 5gal, Sahara DG @ \$16.71 gal, Tempo 2 @ 42.36 240 ml, Tordon or Outpost 22K @ \$48.37 30 gal. Alligare LLC – Glyphosate 4+ @ \$11.68 5gal, Glyphosate 5.4 @ \$13.95 5 gal. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Elliott, seconded by Fischbach to go into executive session for personnel discussion with Kim Dorsett and Andrea Sjomeling 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.

TEMPORARY LIQUOR LICENSE:

Moved by Fischbach, seconded by Elliott to approve application for Temporary Liquor License for March 10, 2012 event, submitted by P'ZA Inc DBA Anchors Away Lodge & Resort – Richmond Resort OL 2 NE 25-124-65. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until March 13, 2012.

Maxine Fischer, Brown County Auditor

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MARCH 13, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Elliott, seconded by Fischbach to approve the Joint City/County Meeting minutes of March 5 and General Meeting minutes of March 6, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$8,755.01; Treasurer \$11,374.88; Data Processing \$2,048.67; State's Attorney \$12,881.83; Blood Draws \$600.00; SVAWA Grant \$1,269.24; Maintenance \$6,009.97; Assessor \$11,507.24; Register of Deeds \$7,114.56; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Adm \$27,775.79; Coroner \$1,350.00; Jail \$28,209.17; JDC \$13,190.32; HD \$4,408.40; Welfare Office \$3,386.07; Museum \$6,568.24; Parks & Fairgrounds \$3,883.32; Fairboard \$2,485.97; Extension \$1,082.41; Weed \$498.56; Planning and Zoning \$2,042.95; Highway \$36,870.61.72; Communications \$18,120.89; Emergency Management \$2,949.42; Teen Court \$561.67; 24/7 Sobriety \$2,054.40; Landfill \$11,181.50; Matching Benefits: FICA \$13,894.49, Medicare \$3,249.49:

Supplies: A&B Business \$262.15, Ameripride \$313.18, AOSNC \$4662.46, ASDM \$113.50, Brown County \$14.00, Brown County Fire Chiefs \$100.00, Butler Machinery \$180.63, Cash-Wa \$4742.66, Creative Products \$472.39, Dakota Electronics \$2653.30, Dakota Fluid Power \$893.54, DSG \$4425.33, Dakota Wood Grinding \$12457.50, Danko \$68.55, Exhaust Pros \$26.25, Farnams \$59.39, Fawn Lake Welding \$1475.00, GCR Tire Center \$49.00, Glas Consulting \$112.50, Great Western Tire \$13950.14, Heartland Paper \$534.06, Hedahls \$227.70, Holland Auto Care \$16.95, Hub City Radio \$300.00, J Gross Equip \$141.10, Kleins \$20.09, Leidholt Elec \$402.36, Lien Trans \$1312.75, Marco \$113.92, Menards \$59.98, Midstates Printing \$509.83, Midwest Alarm \$51.50, Midwest Pump & Tank \$202.96, Motorola \$1153.19, NASASP \$39.00, North Central Farmers Elev \$17099.85, N Central Leasing \$28269.28, Newman Signs \$2490.00, Priority Dispatch \$770.00, Quality Welding \$61.00, Safety Service \$4907.18, SD Dept of Rev \$438,135.87, SD Fed Property \$11018.75, SDSWMA \$400.00, Sewing Shoppe \$64.00, Sheehan Mack Sales \$4078.19, Taylor Laundry \$118.50, TSC \$64.95, Tri State Water \$29.15, Ultramax \$1498.00, Webb Shoes \$200.00:

Transcriptions – Shepherd Reporting \$25.00:

Publications – American News \$640.00:

Travel – Kathy Fischer \$127.28, Leo Leshner \$104.34:

Professional Fees – Norma Anderson \$15.00, Donna Dietrich \$148.95, Economy Propane \$1712.70, Exec Mgmt \$875.70, Minnehaha County Auditor \$90.00, Sivertsen Tech \$500.00, Karen Swanda \$15.00, Yankton County Tres \$411.25:

Utilities – City of Aberdeen \$460.50, City of Hecla \$153.43, Dependable Sanitation \$19349.06, Town of Frederick \$40.64, Northern Elec \$1996.38, NVC \$889.15, Northern Wireless Comm \$149.90, NW Energy \$4503.13:

Care of Poor – Rent (4 recipients) Aberdeen Housing \$172.00, Danne \$275.00, White House Inn \$40.00, Wolfsong Apts \$260.00; Burial (1 recipient) City of Aberdeen \$500.00; Medications (4 recipients) Lori's Pharm \$156.93, United Clinic Pharm \$227.14, Walmart Pharm \$44.12. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step increases, effective March 18, 2012: Michael Rohrbach @ \$14.67 per hour, Carl Wright @ \$16.62 per hour, Jeremy Eppard @

\$12.43 per hour, Nicole Leslie @ \$13.64 per hour, Justin Salo @ \$14.34 per hour. All members present voting aye. Motion carried.

WEED & PEST GRANT AGREEMENT:

Moved by Wiese, seconded by Elliott 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 \$5,200 on a 50/50 cost share basis for chemical, promotional items and seasonal labor, effective July 1, 2012 to June 1, 2013. All members present voting aye. Motion carried

EQUALIZATION NOTICES:

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

SHERIFF REPORTS:

Moved by Wiese, seconded by Hansen to approve the following February 2012 Sheriff Reports: Incidents and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Elliott to declare two (2) portable breath testing units surplus property for donation to the Campbell County Sheriff's Office. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign the following Abatement: Michael McCafferty @ \$92.19 (mobile home moved). All members present voting aye. Motion carried.

BID OPEN/AWARD – TRUCK CAB & CHASIS:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one new Twin Screw Tandem Axle Dump Truck Cab and Chassis for the Highway Department. Bids were received from Crawford Trucks, Sheehan Mack and Interstate Truck Center. Moved by Elliott, seconded by Wiese to refer all bids to Jan Weismantel, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to award bid, submitted by Crawford Trucks on option B in amount of \$83,485.63 for a 2013 International; rejecting bids submitted by: Crawford Trucks Option A @ \$102,485.63; Sheehan Mack Option A @ \$105,614.88, Option B @ \$87,614.88; Interstate Truck Center Option A @ \$99,646.00 Option B no bid; and further declare Decal #1860 (1999 International Truck) surplus for purpose of trade-in for \$19,000.00. All members present voting aye. Motion carried.

BID OPEN/AWARD GRAVEL DUMP BODY AND HOIST:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one (1) new steel gravel dump body and hoist for the Highway Department. Bids were received from Safety Service Inc, Aberdeen; Sanitation Products Inc, Sioux Falls and Northern Truck Equipment Corp, Sioux Falls. Moved by Fischbach, seconded by Wiese to refer all bids to Jan Weismantel, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to award bid, submitted by Safety Service in amount of \$27,500.00 for one (1) new steel gravel dump body and hoist for the Highway Department; rejecting bids

submitted by Northern Truck @ \$28,976.00 and Sanitation Products @ \$31,947.00. All members present voting aye. Motion carried.

BRIDGE 278 CHANGE ORDER #3:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Change Order #3 for BRO 8007(37), PCN H051, Bridge #278 by adding \$260,021.70 to contract amount due to need to raise structure four feet. All members present voting aye. Motion carried.

GRANARY PARKING LOT:

Jan Weismantel, Highway Superintendent presented quote in amount of \$24,214.50 to establish an adequate parking area for the Granary. Sue Gates, Museum Director was also in attendance. The Commission took no action at this time.

INMATE TELEPHONE SERVICE:

Sheriff Mark Milbrandt and Jail Deputy Craig Nelson discussed Inmate Phone System options and recommended contract with current provider be renewed with amendments. Board concurred.

CENTENNIAL VILLAGE:

Kurt Smith, Fairgrounds Manager and Amy Scott, Fair Manager met to discuss Centennial Village. Monica Huber, Josh Huber and Roger Johnson, Centennial Village volunteers introduced themselves and explained their volunteer duties at the Village.

EXECUTIVE SESSION:

Moved by Weise, seconded by Fischbach to go into executive session to discuss personnel with Kurt Smith and Amy Scott in attendance. All members present voting aye. Motion carried.

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

HOSPITAL CLAIMS:

Moved by Wiese, seconded by Elliott to deny payment of the following hospital claims: 55 year old male @ \$4,253.55, 28 year old female @ \$22,810.89, 26 year old female @ \$13,874.39, 38 year old female @ \$8,384.00 and 50 year old male @ \$10,478.18, submitted by Avera St Lukes; 50 year old male @ \$13,439.72, submitted by McKennen, as the individuals have not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

EXECUTIVE SESSIONS:

Moved by Wiese, seconded by Hansen to go into executive session to discuss personnel with Charlene Millim in attendance. All members present voting aye. Motion carried.

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

Moved by Wiese, seconded by Hansen to go into executive session to discuss personnel. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until March 20, 2012.

Maxine Fischer, Brown County Auditor

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MARCH 20, 2012 – GENERAL MEETING

Meeting called to order by Vice Chairman Elliott at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen and Wiese. Commissioners Fischbach and Sutton were absent. Vice Chairman Elliott led the Pledge of Allegiance.

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of March 13, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: City of Aberdeen \$1374.04, AOSNC \$10245.22, Assn of SD County Weed & Pest \$150.00, B&B Contracting \$7162.22, B&E Siding & Windows \$785.40, Best Business Products \$176.80, C&L Plumbing & Htg \$145.41, Carquest Automotive \$1289.26, DT Pharmacy \$3354.67, Earthgrains \$238.83, Exhaust Pros \$26.83, Farm Power Mfg \$1314.33, Freys Electronics \$352.27, Full Circle Ag \$2235.16, Galls \$816.26, Gardner Locksmithing \$184.17, Gemplers \$960.95, GovConnection \$4510.04, Heartland Paper \$161.45, HF Jacobs & Son \$20.00, J&N Mfg \$5169.87, Lar-Jos \$42.30, Leidholt Elec \$56.63, Marco \$180.49, Matthew Bender & Co \$67.89, Midstates Printing \$1437.75, Nelson Sales \$145.55, Pomp Tire Service \$272.15, Sanford Clinic \$55.00, Schneider Corp \$2265.00, SDPAA \$553.00, Ultramax \$1019.00, Webb Shoes \$249.95, West Payment Ctr \$1507.39:

Transcriptions – Richard Neal \$178.60:

Court Appointed Attorney – Thomas Sannes \$3131.50:

Publications – American News \$392.36, Groton Independent \$353.09, Ad Dept \$82.00:

Travel – City of Groton \$4.44, Amber Johnson \$185.63, Mike Rohrbach \$279.73, Justin Salo \$72.00, Kathy Thompson \$72.00, Jan Weismantel \$28.00, Patti Woods \$189.70:

Professional Fees – Avera Queen of Peace \$54.90, Avera St Lukes \$3089.35, Language Line Services \$161.20, Lewis & Clark BHS \$298.00, Midwest Showmens Assoc \$20.00, Northeastern Mental Health \$858.00:

Utilities – Bureau of Administration \$349.97, Century Link \$3806.55, Dependable Sanitation \$451.00, Northern Electric \$27.00, Northwestern Energy \$2030.00:

Care of Poor – Rent (1 recipient) Ken Dohn \$320.00; Dr/Hospital (5 recipients) Avera Medical Cardiovascular \$66.83, Avera Medical Neurosurgical \$3754.21, Avera St Lukes \$9873.18; Utilities (1 recipient) NWPS \$130.00. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Hansen, seconded by Wiese to approve the following lease agreements: Aberdeen Humane Society for lease of the Club House April 21-22, 2012; CEF Great Plains for lease of the Richmond Lake Youth Camp on July 22-27, 2012; Prairie Fiber Arts Guild for lease of the Richmond Lake Youth Camp Lodge April 21-22, 2012; Lisa Runnels for lease of the Richmond Lake Youth Camp September 1-2, 2012. All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Wiese, seconded by Hansen to approve and authorize Amy Scott, Fair Manager to sign the following entertainment contract for the 2012 Brown County Fair in amount of \$25,000.00: Jerrod Niemann on August 17, 2012. All members present voting aye. Motion carried.

NORTHERN BEEF PACKERS:

Commissioner Hansen offered the following Resolution:

RESOLUTION 23-12

RESOLUTION AMENDING RESOLUTION 75-11

Whereas, the County may be required to issue a series of taxable bonds under on August 30, 2011 designated Resolution #75-11, as amended, (the "Bond Resolution"), and

Whereas, the Bond Resolution only provided for tax-exempt series of bonds.

NOW THEREFORE BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF BROWN as follows:

1. Resolution No. 75-11 paragraph 9 be amended to read:

9. Tax-Exempt or Taxable Bonds. The County may issue the bonds the interest of which shall not be included in gross income for federal income tax purposes or which shall be included in gross income for federal income tax purposes.

Adopted: March 20, 2012; Approved: March 20, 2012; Published: March 28, 2012

The motion for adoption of the foregoing resolution was duly seconded by Commissioner Wiese, and upon vote being taken thereof, the following voted YEA: Commissioners Hansen, Wiese and Elliott. Commissioners Fischbach and Sutton were absent. Whereupon said resolution was declared duly passed and adopted.

ABATEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following Abatement: Dana Hermansen @ \$230.32 (assessment error). All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Wiese, seconded by Hansen to approve application, submitted by Disabled American Veterans Chapter 13 for raffles to be held on July 6, August 15 and September 7, 2012 (Brown County Speedway). All members present voting aye. Motion carried.

CONTRACTS – CHEMICAL BID:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Contract Agreements with Van Diest Supply Company, Hefty Seed Company and Alligard, LLC for furnishing and delivery of Chemicals for the Brown County Weed & Pest Department. All members present voting aye. Motion carried.

BID – CHANGE ORDER #1 TRACK LOADER:

Moved by Wiese, seconded by Hansen to approve Change Order #1 for sealed bids for a Compact Track Loader for the Highway, which changes delivery date from 60 days to 90 days from date of bid award. All members present voting aye. Motion carried.

BID OPEN/AWARD COMPACT TRACK LOADER:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one (1) new Compact Track Loader for the Highway Department. Bids were received from HC Clark Implement, J Gross Equipment, RDO Equipment, Sheehan Mack and Titan Machinery. Moved by Wiese, seconded by Hansen to refer all bids to Jan Weismantel, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

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Moved by Wiese, seconded by Hansen to award bid, submitted by Sheehan Mack in amount of \$54,474.00 for one (1) new Compact Track Loader for the Highway Department; rejecting bids submitted by HC Clark Implement @ \$45,998.00 and \$51,549.00 (both units contained exceptions); J Gross Equipment @ \$58,407.46; RDO Equipment @ \$56,119.00; Titan Machinery @ \$54,730.00. All members present voting aye. Motion carried.

BID DATE SET – EAST PARKING LOT FIRST AVE SE:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for material and labor to re-surface the East Parking Lot at First Ave SE, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on April 17, 2012 at 8:45 a.m. All members present voting aye. Motion carried.

SHERIFF EQUIPMENT DISCUSSED:

Tom Schmitt discussed equipment to be placed on the surplus sale and a unit for donation to the Aberdeen Rural Fire Department. The Commission took no action at this time.

RECESS:

The Chairman declared the Commission recessed until March 27, 2012.

Maxine Fischer, Brown County Auditor

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MARCH 26, 2012 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

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

ORDINANCE #12-03-01/405:

On motion by Bunsness and seconded by Rux, the City unanimously voted to approve Frist Reading of Ordinance #12-03-01/405.

Moved by Fischbach, seconded by Elliott to approve First Reading of Ordinance #12-03-01/405, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District: Proposed Outlots 1 and 4, Luke's Farm Outlots in the N ½ of Sec 13-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

MARCH 27, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of March 20, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$7,846.87; Treasurer \$11,389.27; Data Processing \$2,304.71; State's Attorney \$12,881.84; SVAWA Grant \$1,269.24; Blood Draws \$720.00; Maintenance \$6,111.39; Assessor \$11,507.24; Register of Deeds \$7,204.75; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$28,510.37; Jail \$28,218.53; Coroner \$0; JDC \$13,266.07; HD \$4,561.28; Welfare Office \$3,752.64; Museum \$6,568.24; Parks & Fairgrounds \$3,883.32; Fair Board \$2,541.95; Extension \$1,082.40; Weed \$210.33; Planning and Zoning \$2,042.95; Highway \$35,709.21; Communications \$20,347.39; Emergency Management \$3,047.70; Teen Court \$346.19; 24/7 \$2,043.26; Landfill \$11,705.52; Matching Benefits: FICA \$13,951.17, Medicare \$3,262.75, Life \$585.90, Dental \$5,803.56, Health Ins \$88,179.69, Retirement \$28,810.12:

Supplies: City Treasurer \$637.51, American Assoc of Museums \$280.00, CMRS-FP \$5000.00, Crescent Electric \$258.80, Dakota Electronics \$499.23, Dakota Oil \$407.45, Dex Media \$48.00, Digital Alley \$155.00, Driver's License Guide Co \$277.55, Freys Electronics \$240.38, Galls \$10.30, Gardner Locksmithing \$99.85, Howes Oil \$27388.80, Lawson Products \$945.92, Leidholt Electric \$130.99, Mobile Electronic Service \$10.00, Pizza Ranch \$84.95, Pro Ag Supply \$1.13, Quality Welding \$235.00, Safe Harbor \$1760.00, Safety Service \$536.30, Schaeffers Mfg \$409.80, Sivertsen Technology \$1158.00, Volk Upholstery \$98.68, Wallwork Truck Center \$311.84:

Transcriptions – Michelle Gaikowski \$88.40, Richard Neal \$54.40, Sara Zahn \$204.00:

Court Appointed Attorney – Christopher Dohrer \$5774.79, Kuck Law Office \$5520.83, Gina Rogers \$5840.83, Christy Serr \$5841.53:

Publications – American News \$1270.42, Groton Independent \$212.68:

Travel – Stan Beckler \$15.54, Darwin Bettmann \$11.10, Dave Bruckner \$14.00, Crossroads Hotel \$46.50, Larry Hardy \$14.00, Ben Hofer \$14.00, Casey Jensen \$14.00, Jerry Streckfuss \$28.86, Patrick Keatts \$17.76, Dale Kurth \$84.36, Daryl Lloyd \$14.00, Scott Madsen \$33.00, Brad Nehlich \$14.00, David North \$84.36, Bryan Owens \$14.00, Justin Salo \$14.00, SD Human Services Center \$77.00, Mark Selzler \$14.00, Gary Vetter \$33.00:

Professional Fees – Aberdeen Advanced Care Ambulance \$99.33, AMG Radiology \$25.11, Avera St Lukes \$4433.03, Denise Cody \$15.00, Connecting Point \$300.00, Commercial Electronics Corp \$16350.00, Dental Center \$209.00, Donna Dietrich \$150.95, Sanford Clinic \$881.15, SDDOT \$11132.70, Sivertsen Technology \$9300.00, Karen Swanda \$15.00, Sonoma Co Sheriff \$45.00:

Utilities – AT&T Mobility \$42.81, Best Business Products \$133.32, Century Link \$9.90, Midcontinent Communications \$328.60, MDU \$39.66, Northwestern Energy \$1063.45, Verizon \$80.27:

Care of Poor – Rent (2 recipients) Derek & Penny Herther \$300.00, Hinz, Hinz & Hoffman Investments \$260.00; Dr/Hospital (5 recipients) AMG Obstetrics \$259.45, Avera Medical Group \$173.79, Avera St Lukes \$381.54, Sanford Clinic \$136.72; Utilities (1 recipient) City Treasurer \$140.29; Travel (2 recipients) Brown County \$45.69, Jefferson Lines \$128.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective April 1, 2012: Jo Forsting @ \$14.59 per hour, Linn Kamin @ \$14.26 per hour, Tim Miller @ \$18.97 per hour, Casey Jensen @ \$14.26 per hour, Jesse Milbrandt @ \$14.26 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Tyler Weig, Landfill employee, effective March 19, 2012. All members present voting aye. Motion carried.

PERMIT TO LAND AIRCRAFT DENIED:

Moved by Wiese, seconded by Elliott to deny request, submitted by Wade Schulte (Wilbur Ellis) to operate, take off, or land an aircraft on any county road in Brown County. All members present voting aye. Motion carried.

ABERDEEN FAMILY YMCA CHILDCARE CENTER:

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to be held at 8:45 a.m. April 10, 2012 in the Commission Chambers, Courthouse Annex, Brown County, SD for purpose of receiving comments regarding the application for approximately \$515,000.00 of Community Development Block Grant funds to be used for the proposed Aberdeen Family YMCA Childcare Center Project (proposed project total cost @ \$3,486,400). All members present voting aye. Motion carried.

BRIDGE 180:

Moved by Fischbach, seconded by Wiese to rescind the following motion enacted March 6, 2012: "Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign an agreement with South Dakota Department of Game, Fish and Parks (SDGFP) to cost share repairs to BR180 at Willow Dam, whereby SDGFP shall on this "one time basis" pay towards the repair costs the amount of \$30,000.00 with the County paying all costs exceeding said amount. All members present voting aye. Motion carried." The new GFP supervisor declined to approve the expenditure. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE APPROVAL:

Moved by Elliott, seconded by Hansen to approve and authorize the Chairman sign the following Special Malt Beverage License Applications: Boys & Girls Club of Aberdeen Area, 1111 1st Ave SE for Bull Riding event at the Holum Expo Building on April 28 & 29, 2012 (Brown County Fairgrounds SW ¼ Sec 1-T123N-R64W – map indicating specific building on file with application); Northeast Area Horse Racing, Inc., P.O. Box 1104, Aberdeen, S.D. 57401 at the Brown County Fairgrounds SW ¼ Sec 1-T123N-R64W (maps indicating specific building on file with application); Clubhouse effective May 12 & 13; Grandstand effective May 12 & 13; Clubhouse effective May 19, 20, 27 & 28; Grandstand effective May 19, 20, 27 & 28, 2012. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Wiese to approve the following Abatements: Duane Smith @ \$9.52 (MH assessment error); Phyllis Voeller @ 8.27 (MH assessment error); Thomas Aman @ \$1,717.05 (Parking District assessment error). All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolutions:

RESOLUTION #24-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Griff's First Subdivision in the SW ¼ of Sec 20-T123N-R64W of the 5th P.M. Brown County, SD", having been

examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolutions:

RESOLUTION #25-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Brian Donovan Conservation Easement Tract 1 in the S ½ NW ¼ and S ½ NE ¼ of Sec 22-T128N-R60W of the 5th P.M. Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolutions:

RESOLUTION #26-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Nash Third Subdivision in the NW ¼ and NE ¼ of Sec 32-T121N-R64W of the 5th P.M. Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolutions:

RESOLUTION #27-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mike Beck Outlot 1 in SW ¼ Sec 24-T127N-R60W 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 Elliott. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolutions:

RESOLUTION #28-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Haselhorst Tract 1 in the SW ¼ of Sec 33-T121N-R65W of the 5th P.M. Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolutions:

RESOLUTION #29-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Lot 1 of Substation Addition in Government Lot 2 in the NE ¼ of Sec 4-T121N-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 Elliott. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

HLS PROPERTY TRANSFERS:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman sign the following Homeland Security Transfer Documents: Aberdeen Fire & Rescue (3), Aberdeen Police Department (4), City of Aberdeen, Aberdeen School District, Aberdeen Rural Fire Department (2), Bath Fire Department, City of Columbia, City of Claremont, Frederick Ambulance, Frederick Fire Department, City of Groton, Groton Fire Department, Groton Police Department, Hecla Ambulance, Hecla Fire Department, Stratford Fire Department, City of Warner, Warner Fire Department, Headstart, Northern Electric, Plains Commerce Bank, Lowell Swanson, Patti Woods. All members present voting aye. Motion carried.

BID OPEN/AWARD – FLEX WING MOWERS:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of two Bat Wing/Flex Wing Mowers for the Highway Department. Bids were received from Diesel Machinery and Artz Equipment. Moved by Wiese, seconded by Elliott to refer all bids to Jan Weismantel, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to award bid, submitted by Artz Equipment on option with trade in amount of \$19,400.00 for two Landpride RCM5515 Mowers; rejecting bids submitted by: Artz Equipment option without trade @ \$28,450.00; Diesel Machinery option without trade @ \$30,700.00, option with trade @ \$23,700.00; and further declare Decal #1998 (2004 Landpride Mower) and Decal #2134 (2006 Landpride Mower) surplus for purpose of trade-in for \$9,050.00. All members present voting aye. Motion carried.

RESCIND BID AWARD:

Moved by Wiese, seconded by Hansen to rescind the action on March 20, 2012 to award bid, submitted by Sheehan Mack in amount of \$54,474.00 for one (1) new Compact Track Loader for the Highway Department, due to unit not meeting specifications. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to reject all bids received for furnishing and delivery of one (1) new Compact Track Loader for the Highway Department on March 20, 2012 (HC Clark Implement, J Gross Equipment, RDO Equipment, Sheehan Mack and Titan Machinery). All members present voting aye. Motion carried.

BID - TRACK SKIDSTEER:

Moved by Fischbach, seconded by Wiese 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: Track Skidsteer at 8:45 a.m. on April 17, 2012 (bids received March 20th were all rejected). All members present voting aye. Motion carried.

ORDINANCE 074:

Time and place, as advertised for First Reading of Ordinance No. 074. No one appeared with testimony (written and oral), comments and/or questions for discussion. Moved by Elliott, seconded by Wiese to approve First Reading of Ordinance #074, An Ordinance to repeal Title 9 of the Second Revision Brown County Ordinances concerning Drainage Permits. All members present voting aye. Motion carried.

ORDINANCE 075:

Time and place, as advertised for First Reading of Ordinance No. 075. No one appeared with testimony (written and oral), comments and/or questions for discussion. Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance #075, An Ordinance to adopt Title 9 2012 Revised Drainage Ordinance of the Second Revision Brown County Ordinances. All members present voting aye. Motion carried.

BID OPENING WASTE TIRE CLEANUP AT LANDFILL

Time and place, as advertised to open, read and consider bids for Waste Tire Cleanup at the Landfill. Moved by Fischbach, seconded by Wiese to award bid, submitted by New Deal Tire (only bid received) for Removal/Hauling/Transporting/Loading whole unprocessed waste tires from the Landfill @ \$150.00 per ton (passenger car, etc) and \$200.00 per ton (tractor, payload, grader, scaper tires). All members present voting aye. Motion carried. Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Contract with New Deal Tire for Waste Tire Cleanup at the Landfill. All members present voting aye. Motion carried.

SURPLUS PROPERTY/TRANSFER:

Moved by Wiese, seconded by Elliott to declare Decal #362, 2000 Chevy Suburban surplus for donation to the Aberdeen Rural Fire Department; and further declare the following surplus for sale: Decal #3362, 2006 Chevy Impala, Decal #3376, 2007 Chevy Impala, Decal #3363, 2006 Chevy Impala, Decal #3193, 1973 Board Trailer, Decal #4962, Fiberglass Boat; Decal #3182, 1976 Spartan Boat Trailer, Decal #4948, Fiberglass Boat, Decal #3190, 4.5 Johnson Board Motor. All members present voting aye. Motion carried.

INMATE TELEPHONE SERVICE:

Moved by Hansen, seconded by Wiese to approve and authorize the Sheriff sign agreement with Securus, to provide Inmate Telephone Service at the Jail, rejecting quotes from Reliance, Consolidated Telecom, Legacy and Encartele (quotes on file at the Brown County Sheriff Department). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Elliott, seconded by Wiese 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.

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 \$2600.00 down by April 2 and \$300.00 per month, effective April 30, 2012 on Lot 3A Edwards/Stein Subdivision SE 26-124-64. All members present voting aye. Motion carried.

BOND OPTION PRESENTATION:

Ray Woodsend, Tom Grimmond and Toby Morris representing Dougherty & Company LLC presented bond option information for the Commission if they relocate the Sheriff and States Attorney Departments, remodel current area if vacated, and construct a storage building for the Highway Department.

RESCIND BID LETTING DATE:

Moved by Elliott, seconded by Wiese to rescind action on March 20, 2012, setting bid letting date for material and labor to re-surface the East Parking Lot at First Ave SE until further action is taken. All members present voting aye. Motion carried.

RICHMOND LAKE WALKING TRAIL:

Moved by Elliott, seconded by Hansen to authorize Joseph Dulik, Boy Scout Troup 184 to proceed with the proposal for a walking trail on County owned land at Richmond Lake as part of his Eagle Scout requirements, with the County pursuing grant funding for material and Troup 184 providing all labor. All members present voting aye. Motion carried. Kurt Smith, Fairgrounds Superintendent and Ken Dulik were also in attendance.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session to discuss contracts 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.

EMPLOYEE POLICY MANUAL:

The Commission briefly discussed the employee policy manual draft and requested a copy be sent to all departments for review.

ADJOURNMENT:

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

Maxine Fischer, Brown County Auditor

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APRIL 2, 2012 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

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

ORDINANCE #12-03-01/405:

On motion by Mitchell and seconded by Rux, the City unanimously voted to adopt Ordinance #12-03-01/405.

Moved by Fischbach, seconded by Hansen to adopt Ordinance #12-03-01/405, An Ordinance to amend Ordinance No.1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District: Proposed Outlots 1 and 4, Luke's Farm Outlots in the N ½ of Sec 13-T123N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Elliott-absent, Fischbach-aye, Wiese-absent, Sutton-aye. Ordinance adopted.

SET HEARING DATE:

On motion by Bunsness, seconded by Kraft, the City unanimously voted to set hearing date for Ordinance No. 12-04-02/406 (Byrum Rezone).

Moved by Hansen, seconded by Fischbach to set public hearing for Ordinance No. 12-04-02/406, An Ordinance to amend Ordinance No.1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lot 6, Auditor's Second Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD; to be held on April 23, 2012 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 Fischer, Brown County Auditor

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APRIL 3, 2012 – GENERAL MEETING

The Brown County Commission convened at 8:45 a.m., April 3, 2012 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Sutton. Commissioner's Elliott and Wiese were absent. Chairman Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the Joint Meeting minutes of March 26, 2012 and General Meeting minutes of March 27, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Aberdeen Downtown Association \$250.00, Aberdeen Plumbing/Htg \$35.46, B&B Contracting \$262.50, Bachman Trains \$25.00, Bakken Building Maint \$500.00, Butler Machinery \$19.64, Cass County Heating \$268.99, Crawford Trucks \$12982.51, Custom Glass & Repair \$350.00, Danko \$26.30, Ecolab Pest \$95.50, Ferguson Waterworks \$10598.88, Gardner Locksmithing \$252.00, Geffdog Designers \$894.60, Great Plains Fire \$8650.00, Hoven Auto \$38.00, International Assoc of Fairs \$200.00, Intoximeters Inc \$2000.00, Karst Car Care \$211.21, Leidholt Elec \$56.12, Macs \$21.45, Marco \$224.01, Medical Waste Transport \$160.05, Menards \$377.75, Metro Fire \$11998.20, Midstates Printing \$134.94, North Central Farmers Elevator \$4305.96, Powerplan \$815.78, Runnings \$1740.04, Schneider Corp \$2265.00, Share Corp \$202.00, Sivertsen Technology \$64.00, Titan \$14486.40, US Bank \$18131.29, Kevin Vaughn \$187.62, Walmart \$3.98:

Publications - American News \$305.20, Matthew Bender \$37.49, Groton Independent \$124.80:

Travel - Dana Breske \$35.00, Dakota 9-1-1 Conference \$198.00, Maxine Fischer \$40.37, Casey Jensen \$35.00, Ramada Plaza \$356.00, SD Human Services \$60.32:

Professional Fees - American News \$59.27, Avera St Lukes \$226.00, Brown County \$14.00, Cheryl Hook \$231.20, Michael Moore \$925.34, SD Dept of Revenue \$1601.00, Shreves Law Office \$195.74, Swift Co Sheriff \$41.00, Uptown Mental Health Center \$1975.00:

Utilities - AT&T Mobility \$2306.38, Midcontinent \$51.80, NVC \$67.97, Northwestern Energy \$7913.23, Town of Frederick \$51.05, Web Water \$63.80:

Care of Poor - Rent (3 recipients) Thomas Barondeau \$260.00, Ray Sauerwein \$300.00, Zumbaum Property Mgmt \$225.00; Dr/Hospital (25 recipients) Aberdeen Internal Medicine \$276.08, Aberdeen Nephrology \$233.02, Aberdeen Plastic Surgery \$310.37, AMG Group Radiology \$49.44, Avera Aberdeen Family Physicians \$140.12, Avera Cardiology Specialists \$537.28, Avera St Lukes \$16510.21, Dr Richard Conklin \$303.34, Dental Center \$46.00, Infectious Disease Specialist \$92.62, Neogenomics Laboratories \$2161.88, Sanford Clinic \$292.52. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Hansen to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of February 2012: Markcus Selzler - 119 @ \$66.05, Mark Wendt - 456 @ \$253.08, Kendall Titze - 114 @ \$63.27, Jan Weismantel - 86.4 @ \$47.95, Mike Scott - 190 @ 105.45. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Jan Erickson, Deputy Auditor, effective April 6, 2012. All members present voting aye. Motion carried.

LOTTERY APPLICATIONS:

Moved by Fischbach, seconded by Hansen to approve applications submitted by Aberdeen Exchange BMX for raffles to be held on June 8, 2012 and July 28, 2012 (Brown County Speedway); Aberdeen Central Cheer and Dance raffles to be held on June 22, 2012 and July 13, 2012 (Brown County

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Speedway); Aberdeen Area Child Protection Team raffle to be held on June 1, 2012 (Brown County Speedway). All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Fischbach, seconded by Sutton to approve the following lease agreements: First United Methodist Church for lease of Richmond Lake Youth Camp April 14-15, 2012; Hub City Radio for lease of Holum Expo Building April 14-15, 2012; The Boys and Girls Club of America for lease of Richmond Lake Youth Camp April 10, 2012 and May 24, 2012; Liebelts RV for lease of Holum Expo Building March 12-25, 2012. All members present voting aye. Motion carried

PEDDLERS LICENSE:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Peddlers License #01-12 with Robert Steelman DBA Coast 2 Coast Equipment, effective April 3 – May 3, 2012. All members present voting aye. Motion carried.

EM STATE & LOCAL AGREEMENT ADDENDUM:

Moved by Hansen, seconded by Fischbach to approve and authorize chairman to sign Emergency Management State and Local Agreement Addendum, with SDOEM. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolutions:

RESOLUTION #30-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Luke's Farm Outlots in the N ½ of Sec 13-T123N-R63W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Sutton-aye. Commissioners Elliott and Wiese absent. Resolution adopted.

Commissioner Hansen offered the following Resolutions:

RESOLUTION #31-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Harley Mohr Addition in the SE ¼ of Sec 35-T124N-R64W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Sutton-aye. Commissioners Elliott and Wiese absent. Resolution adopted.

Commissioner Hansen offered the following Resolutions:

RESOLUTION #32-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "First Replat of Lot 5, East Highway 12 Addition in the NE ¼ of 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Sutton-aye. Commissioners Elliott and Wiese absent. Resolution adopted.

ORDINANCE 074:

Moved by Hansen, seconded by Fischbach to approve Second Reading and Adoption of Ordinance #074, An Ordinance to repeal Title 9 of the Second Revision Brown County Ordinances concerning Drainage Permits. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Sutton-aye. Commissioners Elliott and Wiese absent. Ordinance adopted.

ORDINANCE 075:

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance #075, An Ordinance to adopt Title 9 2012 Revised Drainage Ordinance of the Second Revision Brown County Ordinances. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Sutton-aye. Commissioners Elliott and Wiese absent. Ordinance adopted.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session to discuss contracts 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.

BID OPENING – 2012 PUP TRAILER:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one 2012 New Belly Pup Gravel Dump Trailer for the Highway Department. Only one bid received from Butler Machinery Co. Moved by Fischbach, seconded by Hansen to refer bid to Jan Weismantel, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

SURPLUS PROPERTY

Moved by Fischbach, seconded by Hansen to declare 1979 Water Tank ID# ST-09, Decal #1194 surplus for sale as scrap metal. All members present voting aye. Motion carried.

SURPLUS PROPERTY AUCTION:

Moved by Hansen, seconded by Fischbach to accept quote submitted by Buntrock Auction Service for auctioneering services for Surplus Property Sale to be held at 10:00 a.m. on May 18, 2012: rejecting quotes from Jark/Worlie Auction Service and Thorpe Realty & Auction. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign application, submitted by Northern Electric Cooperative for occupancy County Highway 23 in SE ¼ Sec 34-T122N-R62W of the 5th P.M., Brown County, SD to install power cable. All members present voting aye. Motion carried.

SUMMER HOURS:

Moved by Fischbach, seconded by Hansen to authorize 10 hour work days for Highway Dept employees starting April 8, 2012. All members present voting aye. Motion carried.

ODDE BUILDING ADDITION:

Greg Odde, Duke Witte and Mike Carrels discussed proposal for Odde Building Addition regarding ten foot expansion and landscaping.

SALES AND COMPLIANCE AUDIT REPORT REVIEW:

Mary Worlie, Director of Equalization reviewed Sales and Compliance Audit Report prepared by SD Dept of Revenue which summarizes sales information available in Brown County.

FIRST AVENUE SE PARKING LOT:

Mick Palmer, Maintenance Dept Mgr and Don Weigel discussed specs for the First Avenue SE parking lot improvements.

WELFARE 2011 ANNUAL REPORT:

Charlene Millim, Welfare Director presented the 2011 Welfare Annual Report.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session to discuss personnel with Charlene Millim and Kim Dorsett in attendance. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until April 10, 2012.

Maxine Fischer, Brown County Auditor

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APRIL 10, 2012 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, Aberdeen City Council and Aberdeen School District 6-1 organized themselves as the 2012 Consolidated Board of Equalization, in accordance with SDCL 10-11-66 at 1:00 P.M. on April 10, 2012 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of Office were taken by Tom Fischbach, Mike Wiese, Duane Sutton, Duane Alm and Todd Campbell. Director of Equalization Mary E Worlie was also in attendance. Auditor Maxine Fischer called the meeting to order and called for nominations for Chairman.

Commissioner Fischbach nominated Commissioner Sutton as Chairman for the 2012 Consolidated Board of Equalization. Moved by Wiese, seconded by Fischbach that nominations cease and a unanimous ballot be cast for Commissioner Sutton for Chairman of the 2012 Consolidated Board of Equalization. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Consolidated Board of Equalization recessed until 1:00 p.m. on April 24, 2012.

Maxine Fischer – Brown County Auditor

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APRIL 10, 2012 – BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 10, 2012, 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 Fischbach, Wiese and Sutton. Director of Equalization Mary E. Worlie, Stacie Hallenbeck and Treasurer Sheila Enderson were also present. Auditor Maxine Fischer called the meeting to order and called for nominations for Chairman.

Commissioner Wiese nominated Duane Sutton as Chairman for the 2012 Brown County Board of Equalization. Moved by Fischbach, seconded by Wiese that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese 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 Wiese, seconded by Fischbach to instruct the Director of Equalization to reduce values on all properties qualifying for Assessment Freeze for the Elderly and Disabled for 2012. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to instruct the Director of Equalization to reduce values on all properties qualifying for Paraplegic Veteran Exemption for 2012 (3); Paraplegic Exemption for 2012 (1); and 100% Disabled Veteran Exemption for 2012 (59). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the applications submitted per SDCL 10-4-15 for 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 Ste 6, Aberdeen, SD). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to defer the following applications, submitted per SDCL 10-4-15 for 100% Tax Exempt Status to 10:00 a.m., April 24, 2012, as no form has been filed: St Mark's Episcopal Church (Lt 1 Mark's Episcopal 1st Subd); Catholic Chancery Office Corp (Normal Addn Lots 1-3 Blk 1); Alano Society (Lt 12 & W 115' of S 8.5' Lt 13 & E 27' Lt 13-14 Pierces Subd of Blk 103 Hagerty & Lloyd Addn); and defer the application submitted by **Aberdeen Boys & Girls Club** on Lt 5 Brown County Commissioners Subd to determine if qualifies for tax exempt status. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to defer the following application, submitted per SDCL 10-4-15 for 100% Tax Exempt Status to 10:00 a.m., April 17, 2012, as property being sold: Presentation College (N 75' Lot 19-24 Corrected Plat of Highlands). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve partial Tax Exempt Status for the following applications: **Aberdeen City #32 First United Methodist Church** 33% on Lts 12 & 13 Blk 29 Subd of Lts 4 & 5 Blk 29 1st Addn & Lts 12 & 13 Blk 29 2nd Addn; **CC Croal Post #17 VFW** 50% on Lt 18 Plat of Auto Plaza Addn (requested 100%); 50% on Lt 19 Auto Plaza Addn (requested 100%); **Loyal Order of Moose #590** 80% on Lts 1-8 and all of vac alley Blk 54 Second Addn; **Yelduz Temple** 90% on Lts 1-3 Blk 50 Second Addn; **Avera St Luke's Hospital** 20% on Lt 1 Avera St Lukes Subd (Blk 73); 58% on Lt 2 HRS/SAL Subd; 40% on Lt 3 Avera Land 'O Lakes Subd; 92% on Lt 2 Avera St Lukes Addn (hospital and parking lot); 15% on Lt 4 Hagerty & Lloyds 3rd Subd SE 13-123-64; **Aberdeen Development Corporation** 62% on Lt 1 Abdn Dev Corp 2001-1 Subd NE 16-123-63 (requested 59%); **Fraternal Order of Eagles** 50% on Lts 4-12 Blk 22 First Addn; **Safe Harbor** 75% on Lts 5 & 6 Blk 90 Hagerty &

Lloyds Addn (requested 100%). Warner Twp #23 Foundation for Youth Firearms Safety Inc 75% on the N 820' of SE 15-122-64 ex Hwy lying E of CNW RR (requested 100%). Groton City #33 American Legion Post #39 60% on Lts 22-23 & N 3' of Lt 24 & S 22' of Lt 24 & all of Lt 25 Blk 11 OP; Groton Community Transit Inc 63% on Lts 9-12 Blk 10 OP Groton. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to deny 90% Tax Exempt Status and approve 36% Tax Exempt Status for the following application: Aberdeen City #32 TDAF/Tom Aman (Milwaukee Depot) 36% on Lt 1 Blackstone 2nd Subd (90% requested). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to remove Tax Exempt status, as requested on the following: Aberdeen City #32 Avera St Lukes Hospital on OL 1 NW 11-123-64 Ex Lt A Dakota Midland Hospital). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve 100% Tax Exempt status on the following new application: Aberdeen City #32 Presentation Sisters on Lt 1 Blk 4 Huffman's 1st Addn. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve 100% Tax Exempt status on the following new applications: Aberdeen City #32 Avera St Lukes Hospital on Lt 2 Rivett Group Addn; Lts 1-7 Blk 44 Bennett & Thomas Addn. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve 63% Tax Exempt status on the following new applications: Aberdeen City #32 ACT 2 Inc on Unit #2 Midwest Capitol Project Lt 10-12 Blk 27 1st Addn; Unit #4A Midwest Capitol Project Lt 13-18 Blk 27 1st Addn; Unit #3 Midwest Capitol Project Lt 13-18 Blk 27, 1st Addn (requested 100%). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to deny Tax Exempt status on the following new application: Aberdeen City #32 Trinity Lutheran Church on Lt 2 Schultz's Replat Blk 23 Coe & Howard Addn. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to deny Tax Exempt status on the following new application: Aberdeen City #32 Our Saviors Lutheran Church on Lt 13-14 Blk 9 Hagerty & Lloyd Addn. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the County Board of Equalization recessed until 10:00 a.m. on April 17, 2012.

Maxine Fischer – Brown County Auditor

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APRIL 10, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Commissioner Elliott was absent. Chairman Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the Joint City/County Meeting minutes of April 2, 2012 and the General Meeting minutes of April 3, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$8,400.45; Treasurer \$11,394.29; Data Processing \$2,001.02; State's Attorney \$12,881.84; Blood Draws \$360.00; SVAWA Grant \$1,269.24; Maintenance \$6,298.96; Assessor \$11,507.22; Register of Deeds \$7,114.58; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$28,490.93; Jail \$28,582.40; Coroner \$1,350.00; JDC \$13,264.65; HD \$4,440.42; Welfare Office \$4,153.49; Museum \$6,546.56; Parks & Fairgrounds \$3,883.32; Fairboard \$2,485.97; Extension \$1,082.40; Weed \$163.59; Planning and Zoning \$2,637.95; Highway \$36,396.79; Communications \$20,109.16; Emergency Management \$3,004.02; Teen Court \$402.71; 24/7 Sobriety \$2,040.47; Landfill \$11,108.25; Matching Benefits: FICA \$14,116.91, Medicare \$3,301.48:

Supplies: 446-Praxair Distribution \$220.17, A&B Business \$16.97, Chris & Elissa Allen \$800.00, Ameripride Services \$471.33, Butler Machinery \$1147.25, Carus Publishing \$28.95, Cole Papers \$158.85, Dakota Electronics \$4154.10, Dakota Fluid Power \$200.84, Diesel Machinery \$242.19, Economy Propane \$605.50, Faulkton Drug \$23.08, Galls \$1131.83, Glas Consulting \$123.75, GovConnection \$2952.46, Great Western Tire \$2131.54, Hewlett Packard \$4842.67, House of Glass \$241.92, Hub City Radio \$300.00, Inman & McDowell \$44.88, Kone Inc \$299.03, Langs Audio/TV \$824.99, Marco \$173.63, Midwest Pump & Tank \$34.38, Motorola Communications \$1153.19, NCFE-Warner \$10357.63, Pierson Ford \$106.36, Safety Service \$529.95, SD Dept of Revenue \$530576.31, Sheehan Mack \$22250.64, Sivertsen Technology \$600.00, Spink County \$18.67, Taylor Laundry \$48.50, Truenorth Steel \$3082.20:

Publications: American News \$1316.39, Groton Independent \$157.78:

Travel: Best Western Ramkota \$176.00, CPI \$679.00, Executive Mgmt \$628.32, Don Fischer \$26.00, Mike Hassebroek \$338.22, Sonje Oban \$47.00, Amy Scott \$47.00, Mike Scott \$14.00, Dennis Vanheerde \$26.00, Holly Volk \$50.00, Woodman Refrigeration \$178.18, Wright & Sudlow \$3572.11:

Professional Fees: Avera St Lukes \$2475.84, Carlsen Funeral Home \$293.00, Clark Engineering \$1350.00, Denise Cody \$18.00, Donna Dietrich \$244.90, Glas Consulting \$56.25, Joan Kittelson \$18.00, Leggette, Brashears & Graham \$2470.00, Sanford Clinic \$88.46, Sivertsen Technology \$4950.00, University of North Dakota \$2000.00, Yankton County Sheriff \$50.00:

Utilities: City of Aberdeen \$1151.15, Economy Propane \$1055.30, James Valley Cooperative \$345.32, Northern Valley Communications \$1518.06, Northern Wireless \$149.90, Northwestern Energy \$748.60:

Care of Poor: Rent (1 recipient) Zumbaum Property Mgmt \$260.00; Dr/Hospital (6 recipients) AMG Group Radiology \$12.17, AMG Psychiatry \$92.62, Anesthesia Care Ltd \$128.00, Avera Abdn Family Physicians \$243.46, Dakota Imaging \$9.43, Dental Center \$55.00; Travel (2 recipients) Brown County \$50.24; Medication (1 recipient) United Clinic Pharmacy \$556.02. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective April 15, 2012: Jeff Kirnan @ \$16.55 per hour, Diane Mielke @ \$15.94 per hour, Daniel Burzlaff @

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\$13.64 per hour, Samantha Foley @ \$13.64 per hour, Judy Dosch @ \$18.98 per hour, Ross Erickson @ \$17.63 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Jody Artz as 4-H Summer Assistant, effective May 29, 2012 at \$8.17 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to appoint the following members to the Weed Board: Duane Jark (term expires March 31, 2015), Troy Knecht and Mark Hoven (terms expire March 31, 2014). All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Wiese, seconded by Fischbach to approve and authorize Amy Scott, Fair Manager to sign the following entertainment contract for the 2012 Brown County Fair in amount of \$3500.00: Dustin Evans on August 18, 2012. All members present voting aye. Motion carried.

BID AWARD – VEHICLES

Moved by Wiese, seconded by Fischbach to award bid for two Sheriff patrol vehicles from State Bid Contract #16217 - Billion Auto for one 2012 Chevy Tahoe @ \$32,386.00 and one 2012 Chevy Impala @ \$20,927.00. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the March 2012 Auditor's Report of Account with the County Treasurer in total amount of \$14,610,690.05 (total amount of actual cash @ \$3,515.00, Wells Fargo Bank @ \$3,621.29, US Bank @ \$56,875.64, Dacotah Bank @ \$2,585,804.68, Petty Cash @ \$7,509.88, Fund Investments @ \$11,953,078.56, Outstanding Checks @ \$285.00). All members present voting aye. Motion carried.

EMPLOYEE POLICY MANUAL:

Moved by Hansen, seconded by Wiese to adopt the revised Employee Policy Manual, effective April 10, 2012. All members present voting aye. Motion carried.

CDBG APPLICATION/YMCA YOUTH DEVELOPMENT CENTER:

Time and place, as advertised for public hearing to received comments in regard to the application for Community Development Block Grant funding the YMCA Youth Development Center. No comments were received.

Commissioner Wiese offered the following Resolution:

Resolution #33-12
Authorizing Community Development Block Grant Application
to Assist in the Construction of a Youth Development Center in Brown County

WHEREAS, Brown County proposes to execute an application for \$515,000 Community Development Block Grant funds to construct a Youth Development Center in Brown County; and

WHEREAS, Brown County is eligible for Federal assistance for the proposed project; and

WHEREAS, with the submission of the Community Development Block Grant application, Brown County assures and certifies that all Community Development Block Grant program requirements will be fulfilled; and

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WHEREAS, Brown County has held the required public hearing on Tuesday, April 10, 2012, for the Community Development Block Grant; and

WHEREAS, Brown County is required to designate a certifying officer for the purpose of signing documents pertaining to this grant; and

WHEREAS, Brown County is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this grant;

NOW, THEREFORE BE IT RESOLVED, that the Chair of Brown County, will be authorized to execute the Community Development Block Grant application for Brown County;

AND BE IT FURTHER RESOLVED, that the Chair of Brown County, be hereby designated as the County's certifying officer for the purpose of signing correspondence, pay requests, and other required documents;

AND BE IT FURTHER RESOLVED, that the Chair of Brown County, be hereby designated as the County's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

Signed this 10th day of April 2012

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

RICHMOND LAKE WALKING TRAIL:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign SDGF&P Recreational Trails Grant Application for purpose of constructing a recreational trail on county owned land at Richmond Lake. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen, to approve and authorize the Chairman to sign the following applications: Northwestern Energy for occupancy of County Highway 13 in Sec 2&35-T123N & 124N-R64W and County Highway 19/County 12W in Sec 16&21-T123N-R64W, Brown County, SD to install power cable. Northern Valley Communications for occupancy of various locations on County Highway 10 to install fiber optic line. Northern Electric for occupancy of County Highway 23 in NW ¼ Sec 1-T121-R62; County Highway 23 in NE ¼ Sec 1-T121-R62; County Highway 14 Sec 3&4-T123N-R63W; County Highway 14 Sec 4-T123N-R63W (driveway); County Highway 14 Sec 4-123N-R63W; County Highway 14 Sec 9-T123N-R63W; County Highway 14 Sec 33&34-T124N-R63W; County Highway 14 Sec 34-T124N-R63W, Brown County, South Dakota to install power cable. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign application submitted by Web Water Development for occupancy of North Shore Drive in Sec 24-T124N, R65W, Brown County, SD to install potable water line. Roll call vote: Commissioners Hansen-abstain, Elliott-absent, Fischbach-aye, Wiese-aye, Sutton-aye. Motion carried.

JRWDD PROJECT ASSISTANCE APPLICATIONS:

Moved by Fischbach, seconded by Weiss to approve and authorize Chairman to sign assistance application for submission to James River Water Development District for tree debris removal from Bridge 234 in amount of \$2,500.00. All members present voting aye. Motion carried.

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Moved by Wiese, seconded by Hansen to approve and authorize Chairman to sign assistance application for submission to James River Water Development District for removal of Bridge 235 and related tree debris in amount of \$9,750.00. All members present voting aye. Motion carried.

BRIDGE 235 404 PERMIT:

Moved by Hansen, seconded by Wiese to authorize Chairman to sign and submit a US Army Corp of Engineers 404 Permit for permission to remove Bridge 235. All members present voting aye. Motion carried.

BRIDGE 148 (HALL CROSSING):

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider sealed bids for stabilization project at the Hall Crossing/Bridge 148, to be opened at 8:45 a.m. on May 8, 2012, contingent upon project qualifying for FEMA funding. All members present voting aye. Motion carried.

BID AWARD 2012 PUP TRAILER:

Moved by Wiese, seconded by Fischbach to award bid submitted by Butler Machinery (only bid received) in the amount of \$63,133.00 for a 2012 Trail King Pup Trailer with the following exceptions: 1) 30 gallon air reservoir specs required 36 gallon; 2) Specs requested Kingpin – this unit has a turntable; 3) Specs requested adjustable tongue length – this unit does not adjust. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session to discuss personnel 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 April 17, 2012.

Maxine Fischer, Brown County Auditor

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APRIL 17, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott and Wiese. Commissioner Fischbach was absent. Chairman Sutton led the Pledge of Allegiance.

CLAIMS:

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

Supplies: A&B Business \$151.39, Ad Dept \$82.00, Best Business \$176.80, Billion Auto \$53313.00, Boys & Girls Club \$4750.00, C&L Plumbing \$61.22, Carlene Lawrence \$222.00, Carquest \$772.23, Cash-Wa \$6083.54, Dakota Doors \$241.58, Dakota Electronics \$37.50, Dependable Sanitation \$24265.00, DT Pharmacy \$3198.11, Earthgrains \$813.68, Farm Power \$481.68, GCR Tire \$153.24, Groton Fire Tax District \$445.75, Hedahls \$322.90, HF Jacobs & Son \$21135.98, Kesslers \$334.88, Kone Inc \$299.03, Lar-jos \$224.83, Marco \$81.09, North Central Farmers Elev \$3789.84, Olympic Sales \$160.00, Pro Ag Supply \$85.93, Safe Harbor \$535.00, Sanford Health \$35.00, SD Assoc of County Commissioners \$15709.96, SD Continuing Legal Ed \$44.52, SD Dept of Revenue \$6291.38, SDPAA \$250.00, Sewing Shoppe \$336.00, Sherwin Williams \$201.89, Sivertsen Technology \$4293.97, Specialty Mfg \$2562.70, Steven Lust Chevrolet \$181.20, Taylor Laundry \$63.00, Tire Dist Systems \$847.48, Tri State Water \$36.50, Web Shoe Co \$200.00, West Payment Ctr \$2891.60, Western States Fire \$1283.01:

Transcriptions: Tammy Erickson \$52.50:

Publications: American News \$821.19, Groton Independent \$362.70:

Travel: Asphalt Conference \$230.00, Jodi Brown \$1016.17, Conald Burgard \$47.00 Public Safety Group \$149.00:

Professional Fees: Avera St Lukes \$2647.97, Carol Butzman Consulting \$132.63, Faulk Co Sheriff \$3720.00, Language Line \$90.17, Lexis-Nexis \$200.00, Midwest Showmens Assoc \$15.00, Sanford Clinic \$68.05, Sanford Health \$166.00, Sanford Lab \$2350.00, Shepherd Reporting \$30.00, Tyler Technologies \$31.25, West Payment Ctr \$124.19, WIN Interactive \$3625.00, Yankton Co Treasurer \$311.25:

Utilities: City of Aberdeen \$290.66, Century Link \$104.55, Dependable Sanitation \$451.00, City of Hecla \$148.35, Northern Electric \$1276.45, Northwestern Energy \$3972.30, Town of Claremont \$123.00:

Care of Poor: Rent (5 recipients) BJS Properties \$300.00, BMI \$280.00, Wolfson Apts \$260.00, Zumbaum Property Mgmt \$390.00; Dr/Hospital (5 recipients) AMG Anesthesiology \$192.00, Avera Internal Medicine \$195.35, Avera St Lukes \$3858.81, Dental Center \$64.00, Orthopedic Institute \$3243.72; Travel(3 recipients) Brown County \$69.96, Emergency Poor Fund \$100.00; Medication (2 recipients) Kesslers \$22.94, Lori's Pharmacy \$211.59; Utilities (3 recipients) Northern Electric \$256.92, NWPS \$520.00. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Elliott, seconded by Wiese to approve the following abatements: Alfred Malsam @ \$1001.39 (office error), Don Thomas @ \$636.78 (assessment error). All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Elliott, seconded by Wiese to approve application, submitted by A-Town Roller Girlz for split pot to be held on July 27, 2012 (Brown County Speedway). All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Hansen, seconded by Elliott to declare a 4-drawer file cabinet surplus property for donation to SDSU Master Gardener Program. All members present voting aye. Motion carried.

GRANARY MEMORIAL GALLERY:

Moved by Hansen, seconded by Elliott to approve and accept the donation of the Granary Memorial Gallery from the John Sieh family and convey a special thank you to the Sieh Family and all individuals involved in making the Granary a unique attraction in Brown County with the County maintaining the integrity already established in the facility. All members present voting aye. Motion carried.

INTEREST WAIVED:

Moved by Wiese, seconded by Hansen to waive interest and penalty on Tax Bill #5012 for 2008 in amount of \$284.87 due to extenuating circumstances. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Hansen to approve the following March 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

COMBINED ELECTION AGREEMENT:

Moved by Elliott, seconded by Hansen to approve and authorize Chairman to sign Combined Election Agreement with Frederick Area School District 6-2 for the election to be held on June 5, 2012. All members present voting aye. Motion carried.

GRANT LANDFILL DOZER:

Moved by Wiese, seconded by Hansen to approve and authorize Chairman to sign award documentation for Regional Landfill Assistance Grant from Department of Environment and Natural Resources in amount of \$342,000.00 for the purchase of a dozer for the Landfill. All members present voting aye. Motion carried.

PRECINCT BOUNDARIES 2012:

Commissioner Hansen offered the following Resolution:

RESOLUTION # 34-12

WHEREAS, as per SDCL 12-14-1, the Brown County Board of County Commissioners established precinct boundaries and designated polling places for Brown County by Resolution, effective April 17, 2012.

NOW THEREFORE BE IT RESOLVED that the election precinct boundary lines and designated polling places for such precincts throughout Brown County are as follows:

Precinct No. 01—Consisting of all that part of Aberdeen City within the area bounded on the south by the Main Track of the Burlington Northern Santa Fe Railroad; bounded on the north by Aberdeen City limits; bounded on the west by N Main Street or any prolongation of N Main Street; and bounded on the east by N State Street or any prolongation of N State Street. This precinct shall vote at the Washington Street Gym, 401 N Washington Street, Aberdeen, SD.

Precinct No. 02—Consisting of all that part of Aberdeen City within the area bounded on the south by the Main Track of the Burlington Northern Santa Fe Railroad; bounded on the north by Aberdeen City limits; bounded on the west by N State Street or any prolongation of N State Street; and bounded on the east by N Dakota Street or any prolongation of N Dakota Street. This precinct shall vote at the Washington Street Gym, 401 N Washington Street, Aberdeen, SD.

Precinct No. 03—Consisting of all that part of Aberdeen City within the area bounded on the south by Sixth Avenue SW or any prolongation of Sixth Avenue SW; bounded on the north by Aberdeen City limits; bounded on the west by Aberdeen city limits; and bounded on the east by Main Street or any prolongation of Main Street. This precinct shall vote at the Primrose Corporate Headquarters Gym (West Gym Door), 815 N 2nd Street, Aberdeen, SD.

Precinct No. 04—Consisting of all that part of Aberdeen City within the area bounded on the north by the Main Track of the Burlington Northern Santa Fe Railroad; bounded on the south by Sixth Avenue SE; bounded on the east by Moccasin Creek; and bounded on the west by S Main Street. This precinct shall vote at the Courthouse Community Room, 25 Market Street, Aberdeen, SD.

Precinct No. 05—Consisting of all that part of Aberdeen City within the area bounded on the north by Sixth Ave SE; bounded on the south by 12th Avenue SE; bounded on the west by S Washington Street; and bounded on the east by S Dakota Street. This precinct shall vote at the Alexander Mitchell Library, 519 S Kline Street, Aberdeen, SD.

Precinct No. 06—Consisting of all that part of Aberdeen City within the area beginning at the intersection of 6th Avenue SE and S Dakota Street, thence Southerly along S Dakota Street to 12th Avenue SE, thence Westerly along 12th Avenue SE to S Lloyd Street, thence Southerly along S Lloyd St to Melgaard Road SE, thence Easterly and Southerly along the Aberdeen City limit boundaries to the Southern boundary of the Aberdeen City limits, thence Easterly along the Southern boundary of the Aberdeen City limits to the intersection of the Aberdeen City limits and 10th Avenue SE, thence Westerly along 10th Avenue SE to S McCoy Street, thence Northerly along S McCoy Street to Prospect Avenue SE, thence Westerly along Prospect Ave SE to S Lawson Street, thence Northerly along S Lawson Street to 6th Avenue SE, thence West along 6th Avenue SE to the point of beginning. This precinct shall vote at the Senior Citizens Center, 1303 7th Avenue SE, Aberdeen, SD.

Precinct No. 07—Consisting of all that part of Aberdeen City within the area beginning at the intersection of N Dakota Street and the Aberdeen City limit boundary, thence Southerly along N Dakota Street to the Main Track of the Burlington Northern Santa Fe Railroad, thence Easterly along the Main Track of the Burlington Northern Santa Fe Railroad to Moccasin Creek, thence Southwesterly along Moccasin Creek to 3rd Avenue SE, thence Easterly along 3rd Avenue SE to S Roosevelt Street, thence Northerly along S Roosevelt Street to the Main Track of the Burlington Northern Santa Fe Railroad, thence Easterly along the Main Track of the Burlington Northern Santa Fe Railroad to 391st Avenue, thence Northerly along 391st Avenue to 131st Street, thence Westerly along the Northern boundary of Aberdeen City Corporate limits to the point of beginning. This precinct shall vote at Super City Plaza (Northwest Entrance) NECOG Conference Room, 2201 6th Ave SE, Aberdeen, SD.

Precinct No. 08—Consisting of all that part of Aberdeen City within the area bounded on the north by Sixth Avenue SW or any prolongation of Sixth Avenue SW; bounded on the south by Aberdeen City limits; bounded on the east by a line beginning at the intersection of Sixth Avenue SW and S Main Street, thence Southerly along S Main Street to 12th Avenue SW, thence Westerly along 12th Avenue SW to the Main Track of the Burlington Northern Santa Fe Railroad, thence Southerly along the Main Track of the Burlington Northern Santa Fe Railroad to 13th Avenue SW, thence Westerly along 13th Avenue SW to S 9th Street, thence Southerly along S 9th Street to the Southern boundary of the Aberdeen City limits; and bounded on the west by Aberdeen City limits. This precinct shall vote at the Courthouse Community Room, 25 Market Street, Aberdeen, SD.

Precinct No. 09—Consisting of all that part of Aberdeen City within the area beginning at the intersection of S 9th Street and 13th Avenue SW, thence Easterly along 13th Avenue SW to the Main Track of the Burlington Northern Santa Fe Railroad, thence Northerly along the Main Track of the Burlington

Northern Santa Fe Railroad to 12th Avenue SW, thence Easterly along 12th Avenue SW to S Main Street, thence Southerly along S Main Street to Melgaard Road, thence Easterly along Melgaard Road to the intersection of the Aberdeen City limits and Melgaard Road, thence Southerly and Westerly along the Southern boundary of Aberdeen City limits to the intersection of the Aberdeen City limits and S 9th Street, thence Northerly along S 9th Street to the point of the beginning. This precinct shall vote at Hub Area Technical School, 640 SW 9th Ave, Aberdeen, SD.

Precinct No. 10—Consisting of all that part of Aberdeen City within the area beginning at the intersection of 6th Avenue SE and S Main Street, thence Southerly along S Main Street to Melgaard Road, thence Easterly along Melgaard Road to S Kline Street, thence Southerly along S Kline Street to the Southern boundary of the Aberdeen City limits, thence Easterly along the Southern boundary of the Aberdeen City limits to the intersection of the Aberdeen City limits and S Lloyd Street, thence Northerly along S Lloyd Street to 12th Avenue SE, thence Westerly along 12th Avenue SE to S Washington Street, thence Northerly along S Washington Street to 6th Avenue SE, thence West along 6th Avenue SE to the point of beginning. This precinct shall vote at School for the Blind and the Visually Impaired (South Gym Entrance), 423 17th Ave SE, Aberdeen, SD.

Precinct No. 11—Consisting of all that part of Aberdeen City within the area beginning at the intersection of the Main Track of the Burlington Northern Santa Fe Railroad and S Roosevelt Street, thence Southerly along S Roosevelt to 3rd Avenue SE, thence Westerly along 3rd Ave SE to Moccasin Creek, thence Southwesterly along Moccasin Creek to 6th Avenue SE, thence Easterly along 6th Avenue SE to S Lawson Street, thence Southerly along S Lawson Street to Prospect Ave SE, thence Easterly along Prospect Ave SE to S McCoy street, thence southerly along S McCoy Street to 10th Ave SE, thence easterly along 10th Ave SE to the Aberdeen City limits boundary, thence Easterly along the Southern boundary of the Aberdeen City limits to 392nd Avenue, thence Northerly along the Eastern border of the Aberdeen City limits to the Main Track of the Burlington Northern Santa Fe Railroad, thence West along the Main Track of the Burlington Northern Santa Fe Railroad to the point of beginning. This precinct shall vote at Super City Plaza (Northwest Entrance) NECOG Conference Room, 2201 6th Ave SE, Aberdeen, SD.

Precinct No. 12—Consisting of Prairiewood, Bath, and East Aberdeen Townships, inclusive. This precinct shall vote at Northern Electric Cooperative, 39456 133rd Street, Aberdeen, SD.

Precinct No. 13—Consisting of Columbia City, Shelby, Columbia, Cambria, and Ordway Townships, inclusive. This precinct shall vote at the Columbia American Legion Building, 102 Broadway N, Columbia, SD.

Precinct No. 14—Consisting of Westport Town, Oneota, Brainard, Westport, and Garland Townships, inclusive. This precinct shall vote at Westport Community Center, 13 W Main, Westport, SD.

Precinct No. 15—Consisting of Lincoln, Franklyn, Ravinia, Carlisle and Mercier Townships, inclusive. This precinct shall vote at the Primrose Corporate Headquarters Gym (West Gym Door), 815 N 2nd Street, Aberdeen, South Dakota.

Precinct No. 16—Consisting of West Aberdeen Township, inclusive. This precinct shall vote at the School for the Blind and Visually Impaired (South Gym Entrance), 423 17th Ave SE, Aberdeen, SD.

Precinct No. 17—Consisting of Warner City, Highland, New Hope and Warner Townships, inclusive. This precinct shall vote at the Warner Community Center, Warner, SD.

Precinct No. 18—Consisting of Stratford Town, Gem, West Rondell, and East Rondell Townships, inclusive, and that part of Henry Township described as the SW ¼ of Sec 35-T123N-R62W and that part

of West Hansen Township described as the NW ¼ of Sec 18-T122N-R61W and the SW ¼ of Sec 7-T122N-R61W. This precinct shall vote at the Stratford Community Center, Stratford, SD.

Precinct No. 19—Consisting of Groton City, Verdon Village, Riverside, Putney, Groton, Henry (except the SW ¼ of Sec 35-T123N-R62W), West Hanson (except the NW ¼ of Sec 18-T122N-R61W and the SW ¼ of Sec 7-T122N-R61W), East Hanson, Garden Prairie, and Bates Townships. This precinct shall vote at the Groton Community Center, Groton, SD.

Precinct No. 20—Consisting of Claremont City, South Detroit, and Claremont Townships, inclusive. This precinct shall vote at the Claremont Fire Station, Claremont, SD.

Precinct No. 21—Consisting of Hecla City, Portage, Hecla, Liberty (except the S ½ of Sec 31-T128N-R62W), Greenfield, Lansing, and North Detroit Townships. This precinct shall vote at the Hecla Community Center, Hecla, SD.

Precinct No. 22—Consisting of Frederick City, Savo, Osceola, Palmyra, Allison, Frederick, and Richland Townships, inclusive, and that part of Liberty Township described as the S ½ of Sec 31-T128N-R62W. This precinct shall vote at the Frederick Community Center, Frederick, SD.

Dated this 17th day of April 2012.

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

BID OPENING/AWARD – TRACK SKIDSTEER:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one new 2012 Track Skidsteer for the Highway Department. Bids were received from HC Clark, RDO Equipment, Sheehan Mack, Titan Machinery and Diesel Machinery Inc. Moved by Wiese, seconded by Hansen to refer all bids to Jan Weismantel, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Hansen to award bid submitted by HC Clark in amount of \$51572.00 for one 2012 Bobcat T750; rejecting bids submitted by RDO Equipment @ \$56,119.00; Sheehan Mack @ \$56,800.00; Titan Machinery @ \$53,073.00; and DMI @ \$56,950.00. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Wiese, seconded by Elliott, to approve and authorize the Chairman to sign the following applications: Web Water Development for occupancy of County Highway 2 in Sec 30-T122N-R65W and County Highway 23 in Sec 35-T122N-R65W, Brown County, SD to install potable water line Roll call vote: Commissioners Hansen-abstain, Fischbach-absent, Elliott-aye, Wiese-aye, Sutton-aye. Motion carried.

Moved by Hansen, seconded by Wiese, to approve and authorize the Chairman to sign application submitted by Northern Electric for occupancy of County Highway 13/127th St in Sec 14&23-T124N-R65W, Brown County, SD to install electric line. All members present voting aye. Motion carried.

STP FUND SWAP AGREEMENT:

Moved by Elliott, seconded by Wiese to approve and authorize the Chairman to sign agreement

Moved by Wiese, seconded by Elliott to extend the load limits to be reviewed on April 24, 2012. All members present voting aye. Motion carried.

RADIO TOWER:

Moved by Hansen, seconded by Wiese for Highway Department to obtain engineering and cost estimates from Dallagher for a 225' radio tower and radio equipment, with project completion date of August 31, 2012, as deadline for narrow band implementation is December 31, 2012. All members present voting aye. Motion carried.

BID AWARD GAS/DIESEL:

Moved by Elliott, seconded by Wiese to award the following Fuel Bids from state bid contracts, effective April 1, 2012 through March 31, 2013 inclusive, as follows: Contract #16286 Howes Oil Company, Inc for Transport Gasohol and Transport Diesel (all types); Contract #16296 North Central Farmers Elevator for Tankwagon Diesel (all types). All members present voting aye. Motion carried.

BRIDGE 148 (HALL CROSSING):

Moved by Hansen, seconded by Elliott to rescind motion to set bid letting for stabilization project at the Hall Crossing/Bridge 148, as FEMA's decision for project qualifications has been delayed. All members present voting aye. Motion carried.

EXECUTIVE SESSIONS:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel with Tom Schmitt, Kim Dorsett and Amy Scott 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.

Motion by Hansen, seconded by Elliott to approve salary of \$18.00 per hour for security personnel at the 2012 Brown County Fair. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-absent, Wiese-abstain, Sutton-aye. Motion carried

Moved by Hansen, seconded by Wiese to go into executive session to discuss 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.

Motion by Hansen, seconded by Wiese to appoint Michael Moore as Special Brown County Deputy States Attorney for prosecution of conflict cases. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until April 24, 2012.

Maxine Fischer, Brown County Auditor

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APRIL 17, 2012 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Sutton at 10:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Elliott and Wiese. Commissioner Fischbach was absent. Director of Equalization Mary E Worlie and Field Appraisers Leo Lesher, Gene Loeschke, Barry Kusler and Russell Metz were also in attendance.

Moved by Wiese, seconded by Elliott to defer the following application, submitted per SDCL 10-4-15 for 100% Tax Exempt Status to 10:00 a.m., April 24, 2012, as property being sold: Presentation College (N 75' Lot 19-24 Corrected Plat of Highlands). All members present voting aye. Motion carried.

APPEALS:

Moved by Wiese, seconded by Elliott to approve the following recommendations from the Director of Equalization: **1.Brian L Boettcher** Lt 7-11 Blk 21 Randall Addn Groton 327,706 (no change). **2.Robert Comstock** NW 31-127-62 247,895 to 258,713. **3-7.Levern Didreckson** Lt 6 Blk 1 White Tail Meadows 1st Subd NW 26-123-65 33,670 to 5000; Lt 5 Blk 1 Whitetail Meadows 1st Subd 38,870 to 5000; Lt 7 Blk 1 White Tail Meadows 1st Subd 22,970 to 5000; Lt 1 Blk 1 White Tail Meadows 1st Subd 38,410 to 30,000; Lt 1 Blk 1 White Tail Meadows 1st Subd 35,250 to 30,000. **8-23.DOK-B** Lt 1 DOK-B SE 22-123-64 7500 to 1150; Lot 2 DOK-B 7500 to 1260; Lt 3 DOK-B 7500 to 1260; Lt 4 DOK-B 7500 to 1260; Lt 5 DOK-B 7500 to 1260; Lt 6 DOK-B 7500 o 1260; Lt 7 DOK-B 10,250 to 2630; Lt 8 DOK-B 9450 to 2230; Lt 9 DOK-B 9500 to 2250; Lt 10 DOK-B 8230 to 1610; Lt 11 DOK-B 7600 to 1300; Lt 12 DOK-B 8580 to 1790; Lt 14 DOK-B 8530 to 1760; Lt 15 DOK-B 7850 to 1430; Lt 16 DOK-B 8530 to 1760; Lt 17 DOK-B 7850 to 1430. **24-25.Marguerite Bergh Donaldson** SE 5-123-64 121,750 to 138,075; SW 5-123-64 177,000 to 189,425. **26.William & Marguerite Donaldson** NE 8-123-64 168,270 to 180,575. **27.Thomas Eilers** Lt 1 Crady NW SW 20-123-64 100,387 to 74,799. **28.John Feltl** SW 7-126-63 ex Hwy 150,091 to 102,648. **29.Robert Gloss** Lt 4 Blk 10 Prairiewood 325,850 to 303,370. **30-31.Mark Hoines** NW 11-126-60 189,863 to 155,451; S ½ NE 11-126-60 101,550 to 83,610. **32-33.Charles Knecht** Lt 1-2 & S ½ NE 5-125-61 129,395 to 212,630; Pt OL J N of S line of Blk 16 extending E to E line of OL J ex Pt E of Blk 11, Houghton 156,949 to 152,024. **34.Delbert & Caroline Lowe** SW 15-123-64 75,000 to 74,667. **35.Michael McCranie** 7 ac N ½ NE 2-125-60 ex rd 7982 to 490. **36.Jack A McPhee Trust** SW SW 31-122-65 50,903 to 40,904. **37.Charlie Mitchell** NE 25-126-62 149,603 to 145,597. **38.Prairie Hill Farms** NW 14-124-62 inc part Grote Eastment Tr 1 172,491 to 54,468. **39-40.Glenn Ringgenberg** NW 7-125-62 170,761 to 146,159; SE 12-125-63 113,766 to 100,765. **41-42.Richard Rovang** Lt 2 NW 9-128-61 13,060 to 10,470; SW 10-127-64 93,330 (no change). **43.J R Schroeder Estate LLC** NW 23-128-61 ex Hwy 236,842 to 231,276. **44.Linda Schuller Tremere** S ½ SE 11-126-60 96,180 to 81,396. **45.Laurel A Sharp** Lt 1 Laurel Sharp Add NE 22-123-63 194,280 to 118,290. **46.Hal & Peggy Treeby** Lt 3 Blk 22 Hecla 58,455 to 52,840. **47.Treeby LLC** NW 15-128-61 ex land platted 76,907 to 70,804. **48-49.Nancy Upton Schnoor** NW 29-123-63 199,659 to 190,853; SW 29-123-63 143,125 to 104,270. **50.John Walter** SE 22-123-60 inc unplatted emergency easement 100,689 to 15,800. **51.Lyle Wampler** Lt 5 Blk 11 Hecla 9295 to 6000. **52.Donald Young** SE 35-123-64 W of RR 52,762 to 21,787. **53.Harley Gage** NE 33-125-64 35,755 to 14,900. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to defer action until April 24, 2012 on **#54.Bruce Harms** Lt 11 Blk 1 Richmond Heights Subd SE 32-124-64. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to defer action until April 24, 2012 on **#55.Delbert Leonhardt** N ½ NE 2-123-62. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to defer action until April 24, 2012 on **#56-58.Lyle Conn** NW 7-124-65; SE 6-124-65; NW 5-124-65. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve the following recommendations from the Director of Equalization: **59. Robert Wegner** Lt 2 Wegner & Rix Subd Groton 0 to 184,685. **60. Art Gengerke** SW 10-124-60 216,132 (no change). **61. Gengerke Farms** SW 18-124-60 353,246 (no change). **62-63. Robert Pray** NE 1-123-62 241,386 (no change); NE 5-124-60 232,776 (no change). **64. Stan Bitz** Lt 1 Bitz 2nd Subd NW 25-123-64 200,430 to 246,100. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve the following recommendations from the Director of Equalization: **65. LaVohn Sieh Revocable Trust** N ½ NW 25-123-62 inc Sieh Conservation Easement 72 to 7200. **66. G&R Farms LLC** Lt 3 Wegner & Rix Subd Groton 0 to 14,625. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to defer action until April 24, 2012 on **#67. Patrick Keatts** Lt 8 NE 22-124-65. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to defer action until April 24, 2012 on **#68-70. William Edwards** SE 17-124-65; NE 17-124-65; SE 10-126-65. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve the following recommendation from the Director of Equalization: **71. Daniel & Penny Brenner** Lt 1 Brenner Addn W ½ SW 16-123-64 145,000 to 181,240. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve the following recommendations from the Director of Equalization: **72. John McCranie** NE 12-124-60 198,881 (no change). **73. Delbert Schwarting** Lt 1 Blk 33 of Plat N ½ Blk 11 & S ½ Blk 17-20 & Blk 27-34 Inc & OL E-L Inc Hecla 13,425 to 20,102. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve the following recommendation from the Director of Equalization: **74. John & Delia Culp** Lt 1 Culp Addn NE 33-127-60 145,469 (no change). All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Brown County Board of Equalization recessed until April 24, 2012.

Maxine Fischer – Brown County Auditor

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APRIL 23, 2012 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

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

ORDINANCE #12-04-02/406:

On motion by Bunsness and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance #12-04-02/406.

Moved by Elliott, seconded by Wiese to approve First Reading of Ordinance #12-04-02/406, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lot 6, Auditor's Second Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Fischer, Brown County Auditor

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APRIL 24, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott and Wiese. Commissioner Fischbach was absent. Chairman Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Wiese, seconded by Elliott to approve the General Meeting, Brown County Board of Equalization Meeting and Consolidated Board of Equalization Meeting minutes of April 10; and the General Meeting and Brown County Board of Equalization Meeting minutes of April 17, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66, Auditor \$8,235.14, Treasurer \$11,393.29, Data Processing \$1,804.22, State's Attorney \$12,881.83, SVAWA Grant \$1,269.24, Blood Draws \$400.00, Maintenance \$6,113.33, Assessor \$11,507.25, Register of Deeds \$7,114.55, Veterans Service Office \$3,383.99, GIS \$2,005.23, Sheriff Admin \$29,896.17, Jail \$31,253.52, JDC \$14,381.43, HD \$4,968.22, Welfare Office \$4,285.22, Museum \$6,546.56, Parks & Fairgrounds \$4,643.41, Fair Board \$2,541.95, Extension \$1,082.40, Weed \$1,530.72, Planning and Zoning \$2,049.17, Highway \$39,488.88, Communications \$21,714.30, Emergency Management \$2,949.42, Teen Court \$282.60, 24/7 \$2,107.37, Landfill \$9,962.65; Matching Benefits: FICA \$14,641.53, Medicare \$3,424.24, Life \$584.10, Dental \$5,821.20, Health Insurance \$87,912.42, Retirement \$29,797.85:

Supplies: American Health & Safety \$174.20, Best Business Products \$133.32, Crescent Electric \$74.88, Deluxe Business \$381.86, Ecolab \$185.22, Fastnel \$698.35, Freys Electronics \$352.27, Grafix Shoppe \$398.91, Graham Tire \$51.48, Heartland Paper \$1187.77, HF Jacobs & Son \$80.00, House of Glass \$103.00, Howes Oil \$26691.20, Lawson Products \$51.34, Midstates Printing \$1125.00, Midwest Rubber Stamp \$29.50, Nelson Sales & Service \$66.31, Newman Signs \$166.43, Pizza Ranch \$84.95, Pro Ag Supply \$15.98, Quality Welding \$76.00, Sanders Sew-N-Vac \$71.96, SDACC \$12460.28, Sheehan Mack \$121.14, West Payment Ctr \$309.60:

Transcriptions: Richard Neal \$26.40:

Publications: American News \$375.28, Groton Independent \$189.78:

Travel: Shelia Enderson \$18.00, Maxine Fischer \$80.18, Duane Jark \$39.96, Jeff Kirnan \$170.20, Duane Sutton \$326.16, Dennis Wiedebush \$26.64:

Professional Fees: Denise Cody \$15.00, Dental Center \$176.00, Donna Dietrich \$150.45, Fox, Youngberg & Lewno \$330.02, Kennedy Pier & Knoff \$54.00, Lewis & Clark \$596.00, Lexis/Nexis \$50.00, Northeastern Mental Health \$2028.00, Pacer Service Center \$15.28, Pennington Co States Attny \$200.00, Sanford Clinic \$130.34, Slowey Reporting \$200.00, Karen Swanda \$15.00, Yankton Co Sheriff \$50.00:

Utilities: Verizon Wireless \$65.50, Bureau of Administration \$329.24, Cass Co Htg \$194.06, Century Link \$3437.88, Midcontinent \$218.60, Northwestern Energy \$29.97:

Care of Poor – Rent (4 recipients) Ken Dohn \$260.00, Don Gisi \$210.00, Harlan Pease \$280.00, Eldon Wahl \$93.28; Dr/Hospital (7 recipients) Avera St Lukes \$4951.81, Dakota Plains Surgical \$981.06, Dental Center \$104.00, Orthopedic Physical Therapy \$64.10, Orthopedic Surgery Specialists \$2177.12; Travel (2 recipients) Brown County \$15.90, Jefferson Lines \$30.00; Insurance: (1 recipient) SHPS \$2167.02; Utilities (2 recipients) NWPS \$261.09. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Elliott to approve the following employee step increases, effective April 29, 2012: Kathy Fischer @ \$19.11 per hour, Ron Glugla @ \$17.01 per hour, Monte Podoll @ \$14.13 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Natasha J Quam, effective April 24, 2012 for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to re-appoint Jan Weismantel as Brown County Highway Superintendent, effective April 20, 2012 through April 19, 2014. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Tanae' Muldoon as part-time JDC Correctional Officer, effective May 1, 2012 at \$11.15 per hour; and further acknowledge resignation of Britney Lout, effective February 27, 2012. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Terry Lout as full-time Landfill employee, effective April 24, 2012 at \$13.36 per hour. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to acknowledge resignation of Ben Hofer from highway, effective April 19, 2012. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve advertising for five seasonal employees at the Highway Department. All members present voting aye. Motion carried.

WAIVE SOLID WASTE FEES:

Moved by Wiese, seconded by Elliott to approve and authorize waiving the following Solid Waste credit slips: Jung Construction @ \$58.97, Kyburz, Carlson @ \$2.37, BAE @ \$83.22, Hulcher Services @ \$17.04, Richmond Recreation @ \$7.07, Cabinets Universal @ \$5.78, A-1 Sanitation @ \$111.24, BNSFRR @ \$1.89, Dependable Sanitation @ \$457.20. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to sign the following Agreement: Jim River Riders for lease of the Open Horse Arena on June 10, July 8, August 12 and September 9, 2012. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE:

Moved by Hansen, seconded by Wiese to approve Special Event Malt Beverage License application, submitted by Pink Ladies – Relay For Life, Frederick, SD – Richmond Resort OL 2 NE 25-126-65 for Special Event to be held on April 27, 2012. All members present voting aye. Motion carried.

ORDINANCE 076:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing to be held at 8:45 a.m. on May 15, 2012 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance #076, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): David and Sheryl Evelo Addition in the NW ¼ of Sec 26-T122N-R64W of the 5th P.M., Brown County, SD (14048 386th Ave). All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION #35-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Schaub Lot 2 in NW ¼ Sec 26-124N-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, Elliott-aye, Fischbach-absent, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #36-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "C & M Subdivision in Thorpes 4th Elm Lake Subdivision in E ½ Sec 17-128N-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, Elliott-aye, Fischbach-absent, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #37-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Boynton Homesite Subdivision in SE ¼ Sec 10-123N-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, Elliott-aye, Fischbach-absent, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #38-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Brent Neiger Addition in the N ½ of the SW ¼ of Sec 30-122N-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, Elliott-aye, Fischbach-absent, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #39-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Bryce Neiger Addition in the NW ¼ of Sec 1-121N-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, Elliott-aye, Fischbach-absent, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #40-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Dave and Sheryl Evelo Addition in the NW ¼ of Sec 26-122N-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, Elliott-aye, Fischbach-absent, Wiese-aye, Sutton-aye. Resolution adopted.

BCBS EMPLOYEE HEALTH INSURANCE:

Gary Welter, BCBS Representative presented new product information and summary reports for the current plan year for Employee Health Insurance Coverage, indicating a two percent increase in cost for plan year July 1, 2012-June 30, 2013. Andrea Sjomeling, Deputy Auditor was also in attendance.

AFLAC CRITICAL ILLNESS INSURANCE:

Ashley Bennett-Twiss, AFLAC requested permission to contact employees to explain Critical Illness Insurance Coverage offered by AFLAC. Board concurred.

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 2011.

BRIDGE 229 CHANGE ORDER #04F:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Change Order #04F for BRO 6426(05), PCN H069, Bridge #229 (embankment issues) with net increase of \$5,725.90 for the Project. All members present voting aye. Motion carried.

LOAD LIMITS:

Moved by Hansen, seconded by Wiese to remove the seasonal load limits from various county roads, effective April 25, 2012; and further caution residents to use prudence when hauling on county roads. Roll call vote: Commissioners Hansen-aye, Elliott-nay, Fischbach-absent, Wiese-aye, Sutton-aye. Motion carried.

LEASE AGREEMENT AHA – ADDENDUM #2:

Moved by Elliott, seconded by Hansen to approve and authorize the Chairman to sign Addendum #2 to the Lease with the Aberdeen Amateur Hockey Association allowing AHA to construct an addition to the ODDE Ice Center, with all terms and conditions of the prior Lease Agreement and Addendums remaining in full force and effect. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-absent, Wiese-abstain, Sutton-aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 1, 2012.

Maxine Fischer, Brown County Auditor

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APRIL 24, 2012 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Sutton at 10:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Elliott and Wiese. Commissioner Fischbach was absent. Director of Equalization Mary E Worlie and Field Appraisers Gene Loeschke and Barry Kusler were also in attendance.

Moved by Wiese, seconded by Elliott to approve the following application submitted per SDCL 10-4-15 for 100% Tax Exempt Status: **Presentation College** on the N 75' Lot 19-24 Corrected Plat of Highlands. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve the following applications submitted per SDCL 10-4-15 for 100% Tax Exempt Status: **Aberdeen Boys & Girls Club** on Lt 5 Brown County Commissioners Subd and on Lot 2 Brown County Commissioner's First Subd. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve the following applications submitted per SDCL 10-4-15 for 100% Tax Exempt Status: **St Mark's Episcopal Church** on Lt 1 Mark's Episcopal 1st Subd; **Catholic Chancery Office Corp** on Normal Addn Lots 1-3 Blk 1; **Alano Society** on Lt 12 & W 115' of S 8.5' Lt 13 & E 27' Lt 13-14 Pierces Subd of Blk 103 Hagerty & Lloyd Addn. All members present voting aye. Motion carried.

APPEALS:

Moved by Elliott, seconded by Wiese to approve the following recommendation from the Director of Equalization: **#54.Bruce Harms** Lt 11 Blk 1 Richmond Heights Subd SE 32-124-64 136,712 to 156,495. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve the following recommendation from the Director of Equalization: **#55.Delbert Leonhardt** N ½ NE 2-123-62 77,900 to 101,234. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve the following recommendations from the Director of Equalization: **#56-58.Lyle Conn** NW 7-124-65 88,535 to 75,230; SE 6-124-65 84,937 to 79,243; NW 5-124-65 54,300 (no change). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve the following recommendation from the Director of Equalization: **#67.Patrick Keatts** Lt 8 NE 22-124-65 from 0 to 6,850. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve the following recommendations from the Director of Equalization: **#68-70.William Edwards** SE 17-124-65 64,080 to 53,516; NE 17-124-65 62541 (no change; SE 10-126-65 73,689 to 63,630. All members present voting aye. Motion carried.

Warren Schumacher provided information on a parcel, but no action was taken.

The Commission thanks everyone in the Director of Equalization Department for their hard work and efforts throughout the equalization process.

ADJOURNMENT:

Moved by Wiese, seconded by Elliott to adjourn the 2012 Brown County Board of Equalization. All members present voting aye. Motion carried.

Maxine Fischer – Brown County Auditor

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APRIL 24, 2012 – CONSOLIDATED BOARD OF EQUALIZATION

Meeting called to order by Chairman Sutton at 1:00 P.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Oaths of Office were taken by Commissioner Burt Elliott and Aberdeen City Mayor Mike Levsen. Present were Commissioners Elliott and Wiese, School Board Member Alm and Aberdeen City Mayor Levsen. Mary Worlie, Leo Leshner, Barry Kusler, Russell Metz and Gene Loeschke from the Director of Equalization Office were also in attendance.

APPEALS:

Moved by Levsen, seconded by Elliott to approve the following recommendation from the Director of Equalization: **#1.Darin Emery** -Lt 15 & S 25' Lt 16 Blk 21 Simmons 1st Addn 241,960 to 179,355. All members present voting aye. Motion carried.

Moved by Levsen, seconded by Wiese to approve the following recommendations from the Director of Equalization: **#2-6.Blackstone Developers LLC**-Unit 6A Alonzo Ward Plaza Residential Suites (Blk 10 OP) 366,390 to 329,752; Lt 1-2 & N 20.9' & W 42' of S 4.1' Lt 3 & W 42' of N 19' Lt 4 Blk 10 OP 850,765 to 768,848; Alonzo Ward Condo Comm Lt 1-2 & N 20.9' & W 42' of S 4.1' Lt 3 and W 42' of N 19' Lt 4 Blk 10 OP 242,080 to 217,872; N 120' Lt 1 Blackstone 4th Subd 1,184,520 to 1,069,476; Balance of Lt 1 Blackstone 4th Subd 292,978 to 264,541. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Alm to approve the following recommendations from the Director of Equalization: **#7.Blackstone Developers LLC**-W 72' of Lts 3-5 & Lt 6 Blk 7 OP @ 282689 (no change). **#8. Thomas Aman**-Lt 7 Blk 10 OP @ 78,255 (no change). All members present voting aye. Motion carried.

Moved by Levsen, seconded by Alm to approve the following recommendations from the Director of Equalization: **#9.Delton Sihrer**-Lts 20 & 21 Blk 20 Hagerty & Lloyds Addn 184,140 to 166,340. **#10.Shopko Properties**-Shopko OL of Howard OL B NE 14-123-64 @ 2,122,058 (no change). **#11.B&B Real Estate**-Lt 1 Teigen 2nd Addn 320,946 to 281,416. **#12.Robin Bobzien**-Lt 4 Blk 2 5th Addn to Highland North 309,780 to 270,480. **#13.John Carrels**-Lt 1 Campbells Subd Replat Plot G of Lt 2 Elmwood Ac NW 12-123-64 443,360 to 355,070. **#14.Scott Christ**-BOLS Lakeside Est W ½ 26-123-64 1979 Acra 5,830 to 0. **#15.EIG Aberdeen LLC (K-Mart)**-Lt 1-3, Lt 13-14, W 73.66' Lt 15-17, Lt 18-29, and Lt 34-39 Shannons Replat Blk 25 Pearsons Subd East Park Addn to Aberdeen 2,432,380 to 1,978,660. **#16.Scott Eisenbeisz**-Lt 4 Blk 2 Lakeview 1st Replat 353,740 to 183,710. **#17.Talmage Ekanger**-Lt 2 Blk 4 Gorders Replat 4th Addn 163,690 to 152,250. **#18.Jerrol Erlenbusch**-Lt 11 Blk 18 1st Addn to Highlands 203,815 to 93,815. **#19.Frank Felix**-Lt 2 Blk 2 Inmans 3rd Addn (Blk 20 Roches) 223,482 to 222,840. **#20.Rose Marie Fresquez**-W 70' Lt 5-6 Blk 15 1st Addn to Highlands 128,320 to 106,195. **#21.Christopher Galvin**-Lt 5 Blk 1 1st Addn to Highlands North 297,190 to 240,390. **#22.Joe Gese**-Lt 16 & S 25' Lt 17 Blk 24 Simmons 1st Addn 191,895 to 183,475. **#23.Dan Grewe**-W 80' Lt 4 Blk 11 11th Addn to Highland North 200,300 to 190,255. **#24.Ryan Hanson**-Lt 25 Blk 7 19th Addn to Highland North 310,910 to 288,370. **#25.James Harr**-Lt 3-5 & N 50' Lt 9 & 50' E and adj Lt 3-4 & N 50' Lt 9 Blk 19 Simmons 1st Addn 363,975 to 348,020. **#26.Roger Heintzman**-Lt 363-364 Morning Heights Addn 97,080 to 89,750. **#27.Stanton Hunstad**-Lt 10 Blk 5 Draeger & Yeager Addn 122,769 to 116,435. **#28.Arnold Isaak**-S 10.5' Lt 186 & Lt 187 Morning Heights Addn 54,510 to 41,320. **#29.R Kerry Johnston**-Lt 1 Blk 6 Gorders Replat 4th Addn 239,770 to 223,690. **#30.J Richard Kornder**-Lt 24 Blk 14 12th Addn to Highland North 191,670 to 180,440. **#31.Laverne Kraft**-BOLS #103 Eisenbeis Ct S 30' Lt 1 Pierson Subd & N ½ vac 1st Ave SE 15,660 to 14,720. **#32.Albert Kruger**-Lts 4-5 Blk 22 Hagerty & Lloyds Addn 48,900 to 16,500. **#33.James Kuch**-Lt 8 Blk 1 Meadow Brooke Est 1st Addn 258,480 to 235,305. **#34.Orville Malsom**-Lt 1 Malsom Addn (Blk 36 Howard Hedger Addn) 123,410 to 79,010. **#35.Jon Mesmer**-Lt 9 Blk 6 19th addn to Highland North 347,735 to 307,595. **#36.Northwestern Corp**-Lt 1 Northwestern Energy Addn SE 17-123-63 274,360 to 0 (centrally assessed). **#37.Dennis**

Olson-Lt 3 Blk 7 Northview 6th Addn & Lt 3 Blk 1 Roncolli 1st Addn Replat Central Catholic High 204,180 to 179,290. **#38.James Olson**-Lt 1 Unit 1 McDowell Subd 250,430 to 237,595. **#39.Brian Prunty**-Lt 1 ex 50' x 50' immediately E and adj to N 150' Lt 1 Blk 25 Simmons 1st Addn 200,335 to 191,650. **#40.Mark Rich**-Lt 15 & S 40' Lt 16 Blk 20 Simmons 1st Addn 202,410 to 193,385. **#41.Carol Rohl**-Lot 1 Unit 2 McDowell Subd 299,270 to 242,290. **#42.Greg Sander**-Lt 13 Blk 7 OP 50% of value to owner/occupied. **#43.Ryan Schimke**-Lt 30 Blk 7 19th Addn to Highland North 238,385 to 222,485. **#44-47.Laverne Schley**-Lt 6 & E 10' Lt 4 Blk 11 11th Addn to Highland North 248,175 to 233,100; Lt 877-878 Morning Heights Ext Addn 38,910 (no change); Lts 879-880, 882 & 883 exc the N 95' thereof Morning Heights Ext Addn 151,780 (no change); E 19' of the N 95' of Lt 881 & N 95' of Lts 880-879 Morning Heights Ext Addn 159,880 to 155,081. **#48.Keith Shishnia**-Lt 1 & 2 Blk 53 Hagerty & Lloyds to owner/occupied. **#49.Jonathan Smith**-Lt 19 Blk 7 Melros 3rd Addn to Melros Estates 361,120 to 190,765. **#50.Carol Sung**-Lt 631 Morning Heights 18,780 to 16,440. **#51.Triad Financial Services-BOLS** #13 Park Village Lt 2 Blk 1 Park Village 46,500 to 0. **#52.John VanderHoek**-Lt 3-4 Blk 18 Simmons 1st Addn 193,325 to 184,935. **#53.Rodney Werkmeister**-Lt 8 Meidams Replat of Blk 8 Pleasant Hill Addn 110,320 to 99,380. **#54.Dan Zumbaum**-Lt 1-3 & E 70' Lt 4 & E 65' Lt 18 Blk 8 Gorders 4th Addn 512,239 to 501,367. **#55-56.Rod Tobin EPEH LLC**-Lt 10-12 Blk 27 1st Addn 182,615 to 251,737; #1 Midwest Capitol Project Lt 10-12 Blk 27 OP 80,240 to 35,221. **#57-59.EC Rhodes Property**-Lt 13-18 Blk 27 1st Addn 295,880 to 364,590; #4 Midwest Capitol Project 182,640 to 160,000; Mezzanine Hallway Unit 3 #3 Midwest Capitol Project 8,570 to 2,930. All members present voting aye. Motion carried.

The Commission thanks everyone in the Director of Equalization Department for their hard work and efforts throughout the equalization process.

ADJOURNMENT:

Moved by Elliott, seconded by Alm to adjourn the 2012 Consolidated Board of Equalization. All members present voting aye. Motion carried.

Maxine Fischer – Brown County Auditor

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APRIL 30, 2012 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Bunsness, Campbell, Mitchell, Kraft, Rux, Swanson and Mayor Levsen. Council Member Slight-Hansen was absent. Present from County were Commissioners Hansen, Elliott, Fischbach and Sutton. Commissioner Wiese was absent.

ORDINANCE #12-04-02/406:

On motion by Mitchell and seconded by Rux, the City unanimously voted to adopt Ordinance #12-04-02/406.

Moved by Fischbach, seconded by Elliott to adopt Ordinance #12-04-02/406, An Ordinance to amend Ordinance No.1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lot 6, Auditor's Second Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-absent, Sutton-aye. Ordinance adopted.

ADJOURNMENT:

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

Maxine Fischer, Brown County Auditor

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MAY 1, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Elliott to approve the Joint City/County Meeting minutes of April 23, 2012, the General Meeting minutes, Brown County Board of Equalization Meeting minutes and Consolidated Board of Equalization Meeting minutes of April 24, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A & B Business Inc. \$126.33, Aberdeen City Treasurer \$762.40, Aberdeen Parks & Rec \$200.00, Aberdeen Plumbing/Heating Inc. \$83.16, Active Data Systems Inc. \$1,971.00, Dex Media East \$48.00, Faulkton Drug \$26.40, Full Circle Ag \$111.00, Graham Tire \$470.00, HF Jacobs & Son Construction \$382.47, Inman & McDowell Inc. \$70.00, MARCO Inc. \$110.55, Metro Fire \$6,865.00, Mark Milbrandt \$38.00, Pennington County Sheriff's Office \$54.65, Runnings Farm & Fleet \$1,346.90, Sander's Sew-n-Vac Inc. \$1,403.32, Schmidt Construction \$5,321.72, Schwan Welding \$194.40, Mark Selzler \$6.36, Sherwin Williams \$38.28, Sivertsen Technology Inc \$1080.99, UltraMax \$554.00, US Bank \$15,376.21, CMRS-FP \$5,000.00, Mark Milbrandt \$8.98:

Repairs & Maintenance: Custom Micro Inc. \$6,000.00, Graham Tire \$1,491.09, Leidholt Electric LLC \$217.35, Mitel Technologies \$357.50, Safety Service Inc. \$115.40, Harvin Schlosser \$50.00, Schwan Welding \$10,013.00, SD Dept. of Transportation \$3,727.06, Western States Fire Co. \$1,902.07:

Machinery & Equipment: Titan Machinery \$206,648.00:

Rentals: Frey's Electronics \$240.38:

Publications: Aberdeen American News \$605.75, Groton Independent \$230.40:

Travel: Burt Elliott \$214.20, Mark Milbrandt \$601.00:

Professional Fees: Avera St. Luke's \$318.59, Heart Business Media Corp \$90.00, Leggette, Brashears & Graham \$5,825.04, SDACES \$20.00, Sivertsen Technology Inc. \$4,953.18, Kristi Spitzer \$1,125.00:

Court Appointed Attorney: Christopher Dohrer \$5,770.83, Kuck Law Office \$5,520.83, Gina Rogers \$5,520.83, Christy Serr \$5,830.43, Tom Tobin \$1,123.40:

Utilities: AT & T Mobility \$2,311.41, Century Link \$44.93, Midcontinent Communications \$106.80, Midwest Alarm \$51.50, Montana Dakota Utilities Co. \$26.61, North Central Farmer's Elevator \$2,659.02, NorthWestern Energy \$10,395.08, Web Water \$64.11:

Other: James River District \$8225.99:

Care of Poor: Rent (2 recipients) E & T Freedom Properties, LLC \$60.00, Hinz, Hinz & Hoffman Investments \$320.00; Dr/Hospital (6 recipients) Aberdeen Advanced Care Ambulance \$221.53, Aberdeen Surgical Assoc. \$481.12, Anesthesiology Assoc. Inc. \$537.79, Avera St. Luke's \$19,928.69, Dr. Richard Conklin \$53.70, Orthopedic Institute \$91.37; Medication (1 recipient) Kmart - \$154.13; Utilities (3 recipients) Aberdeen City Treasurer \$125.54, Brown County \$42.23, NorthWestern Energy \$455.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to acknowledge resignation of Kim Jahraus, Deputy Auditor, effective May 8, 2012. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve hiring Dennis Ells, Fairgrounds Seasonal Employee, effective May 2, 2012 at \$9.35 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Mavis Kempf, Welfare Department, effective June 1, 2012. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge resignation of Nicole Leslie, Sheriff Department, effective May 17, 2012. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Hansen, seconded by Fischbach to approve the following Township Bonds (Treasurer and Clerk): PORTAGE #1- Susan Gerdes, Tom Stehly; GREENFIELD #2 – Valerie Weisser, Karen Lunzman; FREDERICK #3 – Dennis Walworth, 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 – Candi Beck, Sandy Dinger; CLAREMONT #10 – Donald Wegleitner, Justin Wegleitner; COLUMBIA #11 – Marty Weismantel, Patricia Daly; WESTPORT #12 - Guyna Dehne, Doug Fjeldheim; CARLISLE #13 – Janet Nelson, Ashlee Bretsch; 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, Darlene Sass; BATH #19 – David Stahl, Scott Sperry; ABERDEEN #20 – William Donaldson, Marguirete Donaldson; 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 – Joanne Berheim, Margaret Strand; OSCEOLA #29 – Lonny Mikkonen, Chris Sumption; SAVO #30 - Calvin Raisanen, Judy Bretsch; LIBERTY #31 – Todd Lunzman, Rollin Stearns; RAVINIA #34 – Kristie Wyly, Patrick Keatts; HIGHLAND #35 - Dan Misslitz, Deanna Nelson; FRANKLYN #36 - Sharon Bain, Shirley Stein; RICHLAND #37 - Margaret Sumption, Deb Heine; LINCOLN #39 – Vickie Schrenk, Ronald Kaaz; BATES #44 – Kathy Dobberpuhl, Betty Geist; GARLAND #46 – Lloyd Buntrock, Glenn Ringgenberg; PUTNEY #48 – Bill Schuelke, Mark Thompson; WEST HANSON #49 – Maralyn Hoops, Darlys Kampa; HECLA #50 – Cliff Schroeder, Sharon Schroeder; PRAIRIEWOOD #53 – R Lee Ginsbach, Craig McFarland; WEST RONDELL #57 – Al Ryckman, Larry Ihde, SOUTH DETROIT #59 - Mark Perkins, Faye Hoines. All members present voting aye. Motion carried.

DIVE TEAM:

Moved by Fischbach, seconded by Wiese to approve Brian Bahr as a Dive Team Member for Worker's Compensation purposes, replacing Ken Nigg on the Team. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE:

Moved by Elliott, seconded by Wiese to approve Special Malt Beverage License application, submitted by NE Area Horse Racing Inc for special event to be held at the Brown County Fairgrounds Club House - SW ¼ Sec 1-T123N-R64W, Brown County, SD on May 10, 2012. All members present voting aye. Motion carried.

QUOTE AWARD – 1st AVE SE OFFICE BUILDING SIGN:

Moved by Wiese, seconded by Hansen to accept quote submitted by Service Signs Inc, in amount of \$1,200.00 for one 4'x8' double faced sign and two small building signs to be placed at the 1st Ave SE Office Building; rejecting quotes submitted by QQP @ \$1,278.00, Western Printing @ \$1,305.00, and Fordham Signs @ \$1,250.00. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the following: County 19 time line; County 16 update; fence in right-of-way; milling cost estimate per mile.

BRIDGE 204 – WORK ORDER:

Moved by Elliott, seconded by Fischbach to approve and authorize the Chairman to sign Work Order for Project BRF 6170(01), PCN 020S, Bridge #204 updating the 1997 Plans for bid letting, to be completed by Clark Engineering in amount of \$74,672.27 by December 31, 2012. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Wiese, seconded by Fischbach, to approve and authorize the Chairman to sign the following applications: Web Water Development for occupancy of County Highway 19 in Sec 22-T123N-R64W, Brown County, SD to install potable water line Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Elliott-aye, Wiese-aye, Sutton-aye. Motion carried.

Moved by Fischbach, seconded by Wiese, to approve and authorize the Chairman to sign application submitted by Janine Rathert (Schmitt Construction) for occupancy of County Highway 19 in Sec 16/17-T124N-R63W, Brown County, SD to install Aberdeen City potable water line. All members present voting aye. Motion carried.

EM101 CLASS:

Scott Meints, Emergency Management Director and Jason Forrest, Regional EM Coordinator confirmed time and date of May 23, 2012 at 5:30 p.m. to hold a regional EM101 Class for public officials.

PARTIAL PAYMENT CONTRACT:

Moved by Wiese, seconded by Hansen to amend wording in contract for Partial Payment of Real Estate Taxes to allow a 60-day payment delay during the term of the contract, with proof of extenuating circumstances to be approved by the Brown County Commission on a case by case basis. All members present voting aye. Motion carried.

PARTIAL PAYMENT:

Sheila Enderson, Treasurer discussed a contract for partial payment of taxes to be presented to the Commission on May 8, 2012.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session to discuss possible litigation with Kim Dorsett and Sheila Enderson in attendance. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until May 8, 2012.

Maxine Fischer, Brown County Auditor

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MAY 8, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Elliot, seconded by Wiese to approve the Joint City/County Meeting minutes of April 30, 2012 and the General Meeting minutes of May 1, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$7,618.87; Treasurer \$11,393.31; Data Processing \$2,554.48; State's Attorney \$12,881.83; Blood Draws \$680.00; SVAWA Grant \$1,269.24; Maintenance \$6,078.14; Assessor \$11,507.24; Register of Deeds \$7,114.57; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$27,563.62; Jail \$28,292.08; JDC \$13,564.90; HD \$4,310.62; Welfare Office \$4,090.48; Museum \$6,568.24; Parks & Fairgrounds \$4,631.32; Fair \$2,485.97; 4-H \$1,082.41; Weed \$1,246.40; Planning and Zoning \$2,042.95; Highway \$41,651.72; Communications \$19,915.16; Emergency Management \$2,949.42; Teen Court \$321.46; 24/7 Sobriety \$2,004.22; Landfill \$9,564.19; Matching Benefits: FICA \$14,213.51, Medicare \$3,324.13:

Supplies: A & B Business Inc. \$163.76, American Health & Safety \$134.00, Ameripride Services \$216.25, Bakken Build Maintenance \$500.00, Bonnit Bitz \$144.00, Crawford Trucks \$4,860.97, Crescent Electric \$98.58, Custom Glass \$287.01, Dakota Electronics \$1,197.92, Dakota Oil \$3,240.91, Don or Harlan Young \$2,000.00, Ecolab \$210.95, ES&S \$2,823.18, Great Western Tire \$761.38, Heartland Paper \$42.22, Hewlett-Packard \$716.00, House of Glass \$232.03, Howes Oil \$26,794.40, Hub City Radio \$300.00, Kesslers \$450.47, Langs Audio \$132.00, Lar-Jos \$86.65, Leidholt Electric \$220.40, Daryl Lloyd \$150.00, Macs \$124.82, Marco \$240.45, Menards \$279.72, Midstates Printing \$1,247.00, Midwest Pump & Tank \$21.76, Moore Medical \$545.28, Neves Uniforms \$682.64, North Central Farmers Elev \$17,395.13, Pro Ag \$293.55, Runnings \$998.41, Schwan Welding \$82.00, SD State Historical Society \$45.00, Sivertsen Tech \$317.00, Taylor Laundry \$63.00, Western Printing \$283.00, Woodman Refrigeration \$125.00:

Insurance: SDPAA \$269.00:

Repairs & Maintenance: B&B Contracting \$7,481.25, Butler Machinery \$3,297.21, Dakota Fluid Power \$10.23, Farm Power \$100.00, Graham Tire \$596.90, Jacobs Construction \$51.02, Nelson Sales & Service \$316.22, Pierson Ford \$50.95, PowerPlan \$963.56, Sheehan \$3,776.17:

Publications: Aberdeen American News \$919.82, Groton Independent \$194.95:

Travel: Executive Mgmt \$1,641.78, Leo Leshar \$137.64, Gene Loeschke \$107.67, Russell Metz \$272.69, SDACO \$600.00:

Professional Fees: Norma Anderson \$15.00, Avera Queen of Peace \$219.60, Avera St Lukes \$1,769.82, Cass County Sheriff \$34.50, Compass Counseling \$1,250.00, Donna Dietrich \$150.45, Geniusweb \$455.00, Kennedy Pier & Knoff \$134.20, Koletzky Law \$194.60, Lincoln Co \$135.00, SD Dept of Rev \$1,211.00, SDSU \$16,750.00, Shepherd Reporting \$25.00, Karen Swanda \$15.00

Jury: Della Abeln \$154.40, William Allbee \$22.96, Gene Allery \$39.24, Patrick Aman \$25.92, Diane Artz \$21.48, Jeremy Atkins \$112.22, Cynthia Barvels \$10.74, Patricia Brungardt \$11.48, Sharmen Buechler \$14.44, Kendra Bull \$49.60, Aimee Burmester \$11.48, Lance Burns \$11.48, Robin Calkins \$27.40, Candie Carlson \$114.44, Arlene Carr \$21.48, Celeste Centenaio \$22.96, Jaclynn Clark-Donne \$12.22, Beth Coats \$22.96, Susan Cremer \$11.48, Jessica Daw \$11.48, Craig Denbesten \$11.48, Arnold Dennert \$21.10, Angela Dickhaut \$11.48, Steve Diegel \$23.32, Jill Dosch \$24.44, Scott Dunlavy \$22.96, Jo Ehresmann \$49.60, Julie Eichstadt \$22.96, Alan Enger \$11.48, Nancy Ernst \$22.96, Andrew Even \$10.74, Lisa Falcon \$22.96, Cheryl Felix \$21.10, Cheryl Fjeldheim \$18.88, Sara Fleury \$102.96, Linda Fogel \$12.96, Erik Funk \$268.50, Paulette Garry \$22.96, Alison Goetz \$112.22, Gayle Goldin \$64.40,

Timmy Gonsoir \$59.96, Renee Grandpre \$10.74, Brett Grenier \$11.48, Ryan Grenier \$10.74, Mark Grote \$11.48, Cristi Grunendike \$22.96, William Gustafson \$505.40, Janene Harry \$505.40, Ron Hart \$13.70, Shawn Hart \$29.98, Woodrow Hawley \$22.96, Angela Heagley \$11.48, Sylvia Heinrich \$11.48, Ruth Heupel \$11.48, Kayla Hoag \$11.48, Randy Holsing \$24.44, Travis Hoyle \$11.48, John Isakson \$308.88, Ronald Jacobson \$15.92, Bob Jakober \$411.84, Dale Jensen \$21.48, Donna Jensen \$11.48, Eric Johnson \$11.48, Marine Johnson \$21.48, Michelle Johnson \$39.24, Chasity Jones \$11.48, Joseph Juve \$22.96, Wallace Kautz \$21.48, Arlette Keller \$21.48, Kara Kirschenmann \$11.48, Michael Knecht \$68.84, Cynthia Koerner \$24.44, Kurt Kohlman \$10.74, Paula Kokales \$24.80, Kerry Konda \$112.22, Wayne Krage \$37.76, Lois Krueger \$24.80, Lavonne Kruse \$10.74, Desa Larson \$25.54, Eric Larson \$11.48, Teri Lewis \$11.48, Stacey Lewno \$411.84, Terry Likness \$21.48, Ashley Longoria \$10.74, Grace Lonning \$12.96, Frank Lophovsky \$21.48, Marshall Lovrien \$12.96, Joshua Lundy \$11.48, Jodee McCranie \$35.90, Christina McDaniel \$11.48, Hallie McKown \$143.30, Mary Mehlhaff \$41.08, Samantha Mensinger \$154.44, Brad Merkel \$11.48, Rebecca Michaelsohn \$11.48, Amy Misslitz \$112.22, James Mortenson \$14.44, Jennifer Mount \$27.40, Tammie Niemann \$37.76, Christopher Nikolas \$10.74, Dennis Northrup \$114.44, Lynette Ochsner \$104.44, Patricia Olson \$22.96, Christopher Osborn \$24.44, Gayle Osman \$22.96, Diane Paul-Barwin \$24.80, Boyce Pond \$112.22, Vanessa Prasnicki \$21.48, Serena Quiram \$11.48, Christa Reecy \$22.96, Joshua Reeder \$10.74, Jason Reinke \$10.74, Audrey Remien \$28.88, Derek Rieck \$34.80, Richard Rieger \$21.48, Deborah Roebuck \$37.76, Duane Rude \$51.08, Dianne Ruotsalainen \$13.70, Loretta Schlink \$27.40, Barbara Schwan \$25.92, Laurie Schwan \$22.96, Cynthia Scofield \$24.44, Jeffrey Severson \$25.92, Michael Shelton \$94.00, Michelle Smith \$116.66, Shirlee Smith \$18.14, Luann Steen \$518.40, Paul Stoebner \$25.92, Sheila Swain \$11.48, Debra Swanson \$94.00, Ashley Syhre \$11.48, Diane Ulmer \$47.00, Jaimie Vogel \$22.96, Sandra Volk \$25.92, Jay Waage \$49.60, Dale Wagemann \$11.48, Aaron Walberg \$308.88, Joan Washenberger \$10.74, Gordon Weideman \$453.60, Craig West \$21.48, Joan Witchey \$21.48, Douglas Witlock \$22.96, Patrick Witte \$29.98, Crystal Wolter \$18.88, Ramona Woodman \$114.44, Magdalena Zenker \$22.96, Randy Zens \$24.44:

Court Appointed Attorney: Bantz, Gosch, Cremer \$594.75, Vic Fischbach \$246.00:

Utilities: Town of Frederick \$32.25, James Valley Coop \$366.24, Northern Valley \$1,115.52, NW Energy \$651.33:

Care of Poor: Rent (5 recipients) Danne \$280.00, VIP Services \$260.00, White House Inn \$80.00; Dr/Hospital (13 recipients) Aberdeen Advanced Care \$217.27, Aberdeen Surgical Associates \$370.44, Avera Internal Medicine \$279.24, AMG Psychiatry \$440.45, Avera St Lukes \$11,938.24, Orthopedic Surgery \$96.97; Medication (3 recipients) United Clinic \$720.60. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step increases, effective May 13, 2012: Larry Hardy @ \$15.47 per hour, Janice Moore @ \$18.53 per hour, Tina McLeod @ \$13.36 per hour, Carol Wolf @ \$16.29 per hour, Erin McClain @ \$14.52 per hour, John Weig @ \$16.17 per hour. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Elliott, seconded by Wiese to approve the following Agreements: Prairie Partners Master Gardeners for lease of the Expo Building on May 12, 2012; Church of God Native American Ministries of SD for lease of the Richmond Lake Youth Camp on July 16 – 20, 2012. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Wiese to approve the following Abatements: Carol Loken @ \$87.35 (correct error), Kevin Pleinis @ \$266.80 (correct parking district assessment), Joan Spellman @ \$493.78

(correct error), Irene Boyle @ \$4.64 (mobile home gone). All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE:

Moved by Elliott, seconded by Wiese to approve a Special Malt Beverage License application, submitted by A-Town Roller Girlz for a special event to be held at the Brown County Fairgrounds Expo Building - SW ¼ Sec 1-T123N-R64W, Brown County, SD on June 9, 2012. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Wiese to approve the April 2012 Auditor's Report of Account with the County Treasurer in total amount of \$27,583,412.72 (total amount of actual cash @ \$3,515.00, Wells Fargo Bank @ \$3,621.29, US Bank @ \$213,955.47, Dacotah Bank @ \$3,150,212.15, Petty Cash @ \$7,509.88, Fund Investments @ \$24,204,313.93, Outstanding Checks @ \$285.00). All members present voting aye. Motion carried.

BID AWARD – TIRES:

Moved by Fischbach, seconded by Wiese to award tire bid from State Bid Contract #16277 to Goodyear Tire and Rubber Company (Great Western Tire) for the Highway Department, effective April 1, 2012, expires March 31, 2012; rejecting Michelin Tire Company Contract #16278 and Bridgestone Americas Tire Operations Contract #16276. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Elliott, seconded by Hansen to approve the following April 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

BCT1-BOND AMOUNT:

Moved by Fischbach, seconded by Elliott to set maximum Bond amount for the BCT1 – Northern Beef Plant at \$6,950,000.00. All members present voting aye. Motion carried.

CATTAIL DRIVE ROAD DISTRICT:

Moved by Wiese, seconded by Hansen to table acceptance of Cattail Drive Road District boundary lines for one week. All members present voting aye. Motion carried.

TRANSPORTATION STUDY UPDATE:

Thomas McCarthy, Kadrmas Lee & Jackson presented the June 2012 Draft of the Brown County Master Transportation Plan. The second round of public input meetings will be concluded this week. Steve Gramm and Mark Hoines were also in attendance.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Elliott to go into executive session to discuss contract with Kim Dorsett and John McQuillen in attendance. All members present voting aye. Motion carried.

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

PARTIAL PAYMENTS:

Moved by Wiese, seconded by Elliott to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$1452.48 down and \$500.00 per month, effective May 30, 2012 on Lt 1-2 Blk 53 Hagerty & Lloyd Addn to Aberdeen. All members present voting aye. Motion carried.

NAWAPA:

Ron Wiecezoick distributed literature about NAWAPA. There was no action taken.

RICHMOND WALKING TRAIL:

Kurt Smith, Fairgrounds Superintendent informed the Commission that there are no grant funds available at this time and further stated that he had funds available to provide material necessary for the Boy Scouts to establish the trail. Board concurred.

WEB SITE:

Further discussion will be held on the Brown County Web Site at 10:30 a.m. on May 29, 2012

BMX:

Moved by Hansen, seconded by Wiese to approve the construction of a new concession stand (no larger than 36x12) on the south side of the current concession stand on County property at 1019 1st Ave SE, as proposed by Kyle Oswald, BMX. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 15, 2012.

Maxine Fischer, Brown County Auditor

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MAY 15, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Commissioner Elliott was absent. Chairman Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of May 8, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Praxair \$234.49, American Health \$134.00, AmeriPride \$264.67, Brown County \$5.00, CarQuest \$1,334.28, Cash-WA \$5,333.98, Dakota Fluid Power \$863.72, DMA \$73.12, DT Pharmacy \$4,511.19, Earthgrains \$658.96, Farm Power \$615.77, Fire Safety First \$1,366.42, Galls \$133.39, GCR Tire \$94.50, General Irrigation \$4,445.22, Heartland Paper \$1,010.02, Hedahls \$22.71, Hefty Seed \$743.20, HF Jacobs & Son \$15,550.10, Inventory Trading \$136.00, J Gross Equipment \$924.29, Kesslers \$376.95, M-R Sign \$85.88, Macro \$27.60, Menards \$39.00, Midstates Printing \$912.00, Moore Medical \$142.91, Nelson Sales & Service \$16.49, Newman Signs \$119.43, North Central Farmers Elevator \$3,294.52, Parcel Erickson \$155.00, PwervePlan \$2,280.88, Safety Service \$13,961.80, Securus \$14,010.00, SHI International \$1,522.68, Sivertsen Tech \$887.37, Speciality Mfg \$2,713.01, Lust Chev \$18.96, Taylor Laundry \$35.00, Tital Access \$9.76, Tractor Supply \$390.95, Tri-State Water \$60.80, Truenorth Steel \$18,494.40, Ultrama \$125.00, VanDiest Supply \$3,917.30:

Repairs & Maintenance: B&B Contracting \$15,993.75, B & E Siding \$9,159.00, Commercial Electronics \$4,092.00, Crawford MS&F \$752.00, DNA Auto \$38.58, Double D \$352.00, Environmental Systems \$9,448.45, Leidholt Electric \$168.37, Pierson Ford \$2,617.21:

Rentals: DMI \$5700.00:

Publications: Aberdeen American News \$2368.05:

Travel: City of Groton \$83.99, Days Inn Yankton \$46.50, Sheila Enderson \$225.11, Julia Grenz \$142.40, Sara Hagman \$24.00, Richard Hansen \$118.40, Troy Knecht \$86.58, Cathy Lindemann \$121.36, Pennington Co Sheriff \$530.50, Carol Sherman \$161.58:

Professional Fees: Aberdeen Hockey Assoc \$79,000.00, Trent Anderson \$79.80, Avera Queen of Peace \$54.90, Avera St Lukes \$11,178.16, Clark Engineering \$8,214.67, Denise Cody \$15.00, Donna Dietrich \$150.45, Michael Eliason \$997.14, Faulkton Area Medical Center \$152.00, Michaelle Gaikowski \$124.40, Glas Consulting \$157.50, Robert Konrad \$140.95, Mat Liedholt \$159.60, Kyle Moser \$2,014.64, NEMHC \$2,756.00, Michael Roemmich \$144.80, Sanford Clinic \$56.45, SDN Technologies \$4,160.00, Sivertsen Tech \$5,600.00, Kristi Spitzer \$435.00, Karen Swanda \$15.00:

Insurance: SDPAA \$521.00.;

Utilities: Aberdeen City Treasurer \$379.08, Bureau of Adm \$346.91, Century Link \$1,513.68, City of Hecla \$147.34, Economy Propane \$1,280.20, Northern Electric \$1,071.04, Northern Valley \$295.00, Northern Wireless \$149.90, NW Energy \$3,003.60:

Care of Poor: Rent (5 recipients) Danne Inc \$245.00, Wertman Properties \$137.00, Zumbaum Property \$410.00; Dr/Hospital (6 recipients) AMG Group \$126.18, Avera Aberdeen Family Physician \$511.21, Avera Medical Group \$391.02, Avera St Lukes \$2292.70, Dental Center \$301.00, Orthopedic Surgery \$99.20; Medication (1 recipient) Lori's Pharmacy \$121.73; Utilities (3 recipients) Aberdeen City Treasurer \$95.41, NW Public Service \$580.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of March 2012: Jan Weismantel – 76.8 @ \$46.62, Marcus Selzler – 133 @ \$73.82, Kendell Titze – 132 @ \$73.26, Mark Wendt 480 @ \$266.40, Michael Scott – 180 @ \$99.90. All members present voting aye. Motion carried.

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Moved by Hansen, seconded by Wiese to approve hiring Michael Merkel full-time Data Processing Employee (formerly an Intern), effective May 7, 2012 at \$18.22 per hour. All members present voting aye. Motion carried.

DISINTERMENT PERMIT:

Moved by Hansen, seconded by Wiese to acknowledge and accept Notice of Disinterment Permit (Wolf) affecting Brown County from the SD Department of Health Vital Records. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Fischbach, seconded by Wiese to declare the following surplus for purpose of sale at public auction to be held on May 18, 2012: Decal #4 HP Printer, Decal #367 1994 Ford Collins Van, Decal #108 Buffer, Decal #2088 Bell Howard Microtrak, Decal #563 Lamp, Decal #4578-4594 Projector Screens, Decal #2081 IBM Typewriter, Decal 80994 Gallagher Solar Power Fencer B150, Decal #425 Raven Chemical Injection Unit, Decal #3699 Raven Low Volume Chemical Injection Unit, Decal 25050 Raven Chemical Injection Unit, Decal #1939 2002 JD Patrol, Decal #1210 1978 Caterpillar Loader, Decal #1882 2000 Ford Expedition, Decal #1724 1994 GMC PU, Decal #4022 1996 Dodge PU, Decal #2139 1978 IHC Oil Distributor, Decal #1967 1999 Gehl Paver, Decal #1952 2003 Homemade Pup Trailer, Decal #1972 PR Diamond Gas Saw 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 Hansen, seconded by Fischbach to declare various obsolete computer components surplus property for disposal at the Brown County Landfill (complete listing on file at the Auditor's Office). All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve transferring 3 Theodolite Survey tools and a Culvert Location tool from the Highway Department to the Dacotah Prairie Museum Collections Division. All members present voting aye. Motion carried.

EMPLOYEE VISION CARE -GUARDIAN:

Moved by Hansen, seconded by Wiese to approve renewal rates for the Guardian Vision Program available to employees at their expense: Employee @ \$8.60, Employee/Spouse @ \$14.46, Employee/Child @ \$14.74, Family @ \$23.30 effective July 1, 2012 – June 30, 2013. All members present voting aye. Motion carried.

EMPLOYEE HEALTH INSURANCE:

Moved by Fischbach, seconded by Wiese to approve premium costs for renewal of the Brown County Employee Health Insurance Plan with Wellmark Blue Cross and Blue Shield of SD, as follows: Base Plan – Single @ \$547.18 per month (\$2000 deductible), Family @ \$1,387.58 (\$6000 deductible), Two-party @ \$1,008.84 per month (\$4000 deductible). Alternate Plan #1 - Single @ \$549.04 per month (\$2500 deductible), Family @ \$1,392.28 (\$7500 deductible), Two-party @ \$1,012.26 per month (5000 deductible). Alternate Plan #2 - Single @ \$568.42 per month (\$1500 deductible), Family @ \$1,441.46 (\$4500 deductible), Two-party @ \$1,048.00 per month (\$3000 deductible), however the employee shall pay the difference between the Base Plan premium and Alternate Plans #1 & #2 premiums. All plans effective July 1, 2012 through June 30, 2013. Effective July 1, 2009 employee insurance coverage will expire at the end of the month of employment. 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). Deputy Auditor Andrea Sjomeling is authorized to sign renewal documentation. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities that received equipment from the 2011 ODP Equipment Grant Program: Nathan Smith (Weather Radio), Groton Rescue (MDT), Groton Fire Department (MDT), Hecla Fire Department (Thermal Imaging Camera), Aberdeen Rural Fire Department (MDT, Extendaire Pro, FF Protection Equipment). All members present voting aye. Motion carried.

CERT TRAINING/APPRECIATION:

Moved by Hansen, seconded by Wiese to waive camping fees at the Fairgrounds on July 27 & 28, 2012 for CERT Training and Appreciation Potluck Picnic and approve cost of picnic supplies from Fund #226 Emergency Management. All member present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into Executive Session to discuss contracts with Kim Dorsett in attendance. All members present voting aye. Motion carried.

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

ORDINANCE 076:

Moved by Fischbach, seconded by Wiese to approve Frist Reading of Ordinance #076, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): David and Sheryl Evelo Addition in the NW ¼ of Sec 26-T122N-R64W of the 5th P.M., Brown County, SD (14048 386th Ave). All members present voting aye. Motion carried.

NESDCAP:

Larry Wattier presented the 2011 NESDCAP Annual Report for Brown County.

CATTAIL DRIVE ROAD DISTRICT:

Commissioner Wiese offered the following Resolution:

RESOLUTION #41-12 ORDER ESTABLISHING CATTAIL DRIVE ROAD DISTRICT BROWN COUNTY, SOUTH DAKOTA

WHEREAS, the Board of County Commissioners of Brown County, South Dakota, acting upon Petition for the formation of the proposed Cattail Drive Road District, and

WHEREAS, the Board of County Commissioners of Brown County, South Dakota, in regular session, this 15th day of May 2012 at 9:15 o'clock A.M., in the Commissioners Chambers, Brown County, South Dakota, have determined that the proposed CATTAIL DRIVE ROAD DISTRICT is suited to the general policies of Brown County, South Dakota, as a whole, and having determined the boundaries of the proposed district are determined and established as embracing and including a portion of the area and real properties within the boundaries of Lincoln Township.

NOW, THEREFORE, it is hereby ordered by the Board of County Commissioners of Brown County, South Dakota, that the proposed CATTAIL DRIVE ROAD DISTRICT is suited to the general policies of Brown County, South Dakota, as a whole, and that the boundaries of said Cattail Drive Road District be, and they are, determined and established as embracing and including a portion of the area and real properties within the boundaries of Lincoln Township, specifically described as:

- Lots 1 and 2, Edwards Third Subdivision in the SE ¼ of Sec 26-T124N-R64W of the 5th P.M. Brown County, SD pursuant to the Plat thereof of record;

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities that received equipment from the 2011 ODP Equipment Grant Program: Nathan Smith (Weather Radio), Groton Rescue (MDT), Groton Fire Department (MDT), Hecla Fire Department (Thermal Imaging Camera), Aberdeen Rural Fire Department (MDT, Extendaire Pro, FF Protection Equipment). All members present voting aye. Motion carried.

CERT TRAINING/APPRECIATION:

Moved by Hansen, seconded by Wiese to waive camping fees at the Fairgrounds on July 27 & 28, 2012 for CERT Training and Appreciation Potluck Picnic and approve cost of picnic supplies from Fund #226 Emergency Management. All member present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into Executive Session to discuss contracts with Kim Dorsett in attendance. All members present voting aye. Motion carried.

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

ORDINANCE 076:

Moved by Fischbach, seconded by Wiese to approve Frist Reading of Ordinance #076, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): David and Sheryl Evelo Addition in the NW ¼ of Sec 26-T122N-R64W of the 5th P.M., Brown County, SD (14048 386th Ave). All members present voting aye. Motion carried.

NESDCAP:

Larry Wattier presented the 2011 NESDCAP Annual Report for Brown County.

CATTAIL DRIVE ROAD FIRE DISTRICT:

Commissioner Wiese offered the following Resolution:

RESOLUTION #41-12 ORDER ESTABLISHING CATTAIL DRIVE ROAD DISTRICT BROWN COUNTY, SOUTH DAKOTA

WHEREAS, the Board of County Commissioners of Brown County, South Dakota, acting upon Petition for the formation of the proposed Cattail Drive Road District, and

WHEREAS, the Board of County Commissioners of Brown County, South Dakota, in regular session, this 15th day of May 2012 at 9:15 o'clock A.M., in the Commissioners Chambers, Brown County, South Dakota, have determined that the proposed CATTAIL DRIVE ROAD DISTRICT is suited to the general policies of Brown County, South Dakota, as a whole, and having determined the boundaries of the proposed district are determined and established as embracing and including a portion of the area and real properties within the boundaries of Lincoln Township.

NOW, THEREFORE, it is hereby ordered by the Board of County Commissioners of Brown County, South Dakota, that the proposed CATTAIL DRIVE ROAD DISTRICT is suited to the general policies of Brown County, South Dakota, as a whole, and that the boundaries of said Cattail Drive Road District be, and they are, determined and established as embracing and including a portion of the area and real properties within the boundaries of Lincoln Township, specifically described as:

- Lots 1 and 2, Edwards Third Subdivision in the SE ¼ of Sec 26-T124N-R64W of the 5th P.M. Brown County, SD pursuant to the Plat thereof of record;

- Lots 3A and 4A in Edwards/Stein Subdivision in Edwards Third Subdivision in the SE ¼ of Sec 26-T124N-R64W of the 5th P.M. Brown County, SD pursuant to the Plat thereof of record;
- Lots 1, 2 and 3 Rath 1st Subdivision in the SW ¼ of Sec 26-T124N-R64W of the 5th P.M. Brown County, SD pursuant to the Plat thereof of record;

and that the said Cattail Drive Road District be, and the same hereby is, established as aforesaid, pursuant to SDCL 31-12A.

That the County Auditor is hereby directed to designate a time and place for an election, pursuant to law to determine if the organization of the Cattail Drive Road District shall be completed.

Dated this 15th day of May 2012 at Aberdeen, Brown County, South Dakota.

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

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for January – March 2012.

TAX RELIEF REQUEST:

Sheila Enderson, Treasurer presented a request from a resident for further assistance with real estate taxes. After discussion, it was determined that all actions allowed by State law for lowering real estate taxes in this situation have been taken.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into Executive Session to discuss contracts with Kim Dorsett, Maxine Fischer and Andrea Sjomeling 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.

APPLICATIONS FOR OCCUPANCY:

Moved by Hansen, seconded by Wiese, to approve and authorize the Chairman to sign applications submitted by James Valley Telecommunications for occupancy of County Highway 20/9 in Sec 27,34/35-T126N-R60W, Brown County, SD; County Highway 20 in Sec 10/11-T125N-R60W, Brown County, SD; County Highway 20 in Sec 11-T125N-R60W, Brown County, SD; County Highway 11 in Sec 30/29-T125N-R60W, Brown County, SD to provide telecommunication services. All members present voting aye. Motion carried.

BRIDGE INSPECTION WORK ORDER:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Bridge Inspection Work Order #B1-06-12 for SDDOT Project BR NBIS(27), PCN 01EU with Clark Engineering Company to complete bridge inspections for Brown County structures in 2012. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 22, 2012.

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

MAY 22, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of May 15, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$7,387.66; Treasurer \$11,393.30; Data Processing \$2,854.97; State's Attorney \$12,881.84; SVAWA Grant \$1,269.24; Blood Draws \$760.00; Maintenance \$6,159.61; Assessor \$11,511.25; Register of Deeds \$7,164.31; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Admin \$27,871.59; Jail \$27,636.12; Coroner \$0; JDC \$14,040.41; HD \$4,340.35; Welfare Office \$4,210.76; Museum \$6,568.24; Parks & Fairgrounds \$5,123.08; Fair Board \$2,485.97; Extension \$1,082.40; Weed \$1,936.84; Planning and Zoning \$1,999.41; Highway \$40,612.40; Communications \$19,915.68; Emergency Management \$2,949.42; Teen Court \$515.75; 24/7 \$2,104.57; Landfill \$10,310.27; Matching Benefits: FICA \$14,641.53, Medicare \$3,424.24, Life \$584.10, Dental \$5,821.20, Health Insurance \$87,912.42, Retirement \$29,797.85:

Supplies: Best Business Products \$176.80; Brick TV & Appliance \$1157.50; CD Exchange \$12.49; Cunningham Electric Inc. \$341.06; Dakota Pump & Control \$815.82; Dakota Supply Group \$151.14; DPM Petty Cash \$33.69; DSS Image Apparel \$97.65; Galls \$29.48; Gardner Lock Smith \$60.00; Grote Roofing Co. \$149.49; HC Clark Implement \$9.20; Jensen Rock & Sand \$113577.70; Lawson Products \$265.32; MediaUSA \$495.00; National Sheriff Association \$100.00; Nelson Sales & Service \$375.00; North Central Farmers Elevator \$3453.16; Outlaw Graphics \$64.00; Schmidt Construction \$1575.00; Share Corp. \$399.00; Sivertsen Technology \$1293.05; SD Magazine \$285.00; Specialty Mfg. \$181.08; Spot Freight \$1585.00; US Bank \$18619.17; Youngs \$61.77:

Repairs & Maintenance: Ben Hofer Backhoe Service \$719.39; C & L Plumbing & Heating \$460.63; Fastenal Co. \$3.90; GCR Tire Center \$3694.36; Graham Tire \$604.20; Lawson Products \$11.99; Leidholt Electric \$56.12; Motorola Communications \$1153.19; Muth Electric \$256.00; Sewer Duck \$831.00; Superior Jetting \$2927.12; Vosika Fencing \$5554.00:

Transcriptions: Kristi Brandt \$ 41.80; Tammy Erickson \$207.90:

Machinery & Equipment: Schneider Corp. \$1125.00:

Publications: Aberdeen American News \$187.84; Groton Independent \$344.04:

Travel: Mary Browning \$153.40; Kathy Fischer \$218.44; Tom Gohn \$9.00; Jessie Guthmiller \$59.05; Barry Kusler \$93.75; Leo Leshar \$66.00; Gene Loeschke \$280.60; Kathy Schlecht \$122.59; Mary Worlie \$218.44:

Professional Fees: Aberdeen Advanced Care Ambulance \$99.33; Aberdeen Appraisal \$1200.00; Carlsen Funeral Home \$257.30; Carol Butzman Consulting LLC \$373.08; Denise Cody \$30.00; Compass Counseling & Assessment \$1250.00; Dental Center \$111.00; Donna Dietrich \$298.15; Tammy Erickson \$240.00; Faulk Co. Sheriff's Office \$3600.00; Fox, Youngberg & Lewno PC \$150.66; Charles Gruenstein \$20.00; Harmelink, Fox & Ravensborg \$131.00; Kenneth Kusler \$110.00; Gary Mikelson \$198.40; Pennington Co. Treasurer \$41.00; SD Department of Revenue & Regulation \$70.00; SD Secretary of State \$7.00; Karen Swanda \$30.00; West Payment Center \$124.19; Yankton County Treasurer \$207.50:

Utilities: CenturyLink \$2397.11; Dependable Sanitation \$24562.56; Language Line Services \$90.00; Northwestern Energy \$1563.16:

Care of Poor: Rent (2 recipients) BMI Inc \$ 280.00, Jordan Park Townhomes \$139.00; Dr/Hospital (3 recipients) Avera St. Luke's \$412.76, Dakota Plains Surgical Center \$2718.86, Sioux Falls Specialty

Hospital \$1290.53; Utilities (3 recipients) Aberdeen City Treasurer \$50.00, Northwestern Public Service \$391.09; Burials (2 recipients) Spitzer Miller Funeral Home \$3662.64. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Elliott, seconded by Fischbach to approve the following employee step increases, effective May 27, 2012: Harlan Place @ \$15.80 per hour, Gerald Lehrkamp @ \$13.47 per hour, Brenda Hammrich @ \$17.18 per hour, Tracy Engquist @ \$12.92 per hour, David Bruckner @ \$16.61 per hour. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to approve hiring Michael Lout as part-time facility maintenance employee at the Landfill, effective May 23, 2012 at \$12.68 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Kristine Bjerke, Amy Williams and James Harpel as full-time Corrections Officers in the Jail, effective May 21, 2012 at \$13.33 per hour; and further approve hiring Robert Porter III as part-time 24/7 Sobriety employee, effective May 7, 2012 at \$11.15 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Rane Mergen, effective May 21, 2012 for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Elliott to approve hiring Tigh Leibel as intern for the IT Department, effective May 21, 2012 at \$9.53 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring the following Highway Seasonal Employees: Bryce Brockel, effective May 23, 2012 @ \$9.69 per hour; Aaron Franklin, effective June 4, 2012 @ \$9.69 per hour; Nathan Wood and Justin Kallenberger, effective May 29, 2012 @ \$9.96 per hour; Dick Schaible and Les Schaible, effective May 29, 2012 @ \$10.52 per hour. All members present voting aye. Motion carried.

TEMPORARY ALCOHOL LICENSE:

Moved by Wiese, seconded by Elliott to approve the following Temporary Alcohol License Application: P'ZA Inc DBA Anchors Away Lodge & Resort, 12800 S Shore Dr, Aberdeen, S.D. 57401 – Richmond Resort OL2 NE 25-124-65. Special on-sale liquor license effective May 26, 2012. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Elliott, seconded by Wiese to declare one (1) London Mosquito Fogger, Decal #444 surplus property for purpose of sale to the City of McLaughlin in amount of \$1,700.00. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve the following Agreement: Northeast Area Horse Racing, Inc for lease of various facilities at the Fairgrounds from May 1, 2012 through May 31, 2012. All members present voting aye. Motion carried.

LOTTERY APPLICATIONS:

Moved by Fischbach, seconded by Wiese to approve applications submitted by Boys & Girls Club of Aberdeen Area for raffle to be held on June 29, 2012 (Brown County Speedway) and SERVE NSU for

raffle to be held on June 15, 2012 (Brown County Speedway). All members present voting aye. Motion carried.

INVENTORY TRANSFERS:

Moved by Elliott, seconded by Wiese to approve transferring a 2002 Chev Tahoe Decal #3353 from the Sheriff Department to Planning/Zoning Department and transferring a 2002 Chev Tahoe Decal #3281 from the Sheriff Department to Brown County Communications; and further Hansen moved, Wiese seconded to rescind motion by Fischbach, seconded by Hansen not appearing on same subject in minutes of May 15, as no documentation was available at that time. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Hansen, seconded by Wiese to declare a Book Shelf surplus property for donation to SDSU Master Gardener Program. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION #42-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Scott Tract 1 in the NW ¼ of Sec 33-T127N-R60W of the 5th P.M., Brown County, SD" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3 and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

RESOLUTION #43-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Martin Second Conservation Easement Tract 1 in the E ½ SW ¼ of Sec 12-T122N-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 Hansen. Roll call vote: Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #44-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Lee Thompson Addition in the N ½ of the NE 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 1967, Chapter 11-3 and any amendments thereof.

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

ORDINANCE 076:

Moved by Fischbach, seconded by Elliott to approve Second Reading and Adoption of Ordinance #076, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): David and Sheryl Evelo Addition in the NW ¼ of Sec 26-T122N-R64W of the 5th P.M., Brown County, SD (14048 386th Ave). Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Ordinance adopted.

BID – FIRST AVE SE PARKING LOT PROJECT:

Mick Palmer, Maintenance Supervisor informed the Commission that the specifications for the First Ave SE Parking Lot Project will be available for review next week.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign application, submitted by WEB Water Development for occupancy of Brown County 17 in Sec 14-T123N-R63W, Brown County, SD to provide potable water line. Roll call vote: Commissioners Hansen-abstain, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Motion carried.

COUNTY ROAD #23.1 GRADE RAISE:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Letting Authorization, Utilities Certificate and Right-of-Way Certificate for Project ER-P 6176(27), Brown County, PCN 03J8 (County Road #23.1 grade raise). All members present voting aye. Motion carried.

FAIR BOARD MEMBER:

Moved by Hansen, seconded by Wiese to appoint Stu Swenson to the Fair Board, effective May 23, 2012 – December 31, 2014; and further acknowledge resignation of Robert Husby. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Elliott to go into executive session to discuss personnel. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until May 29, 2012.

Maxine Fischer, Brown County Auditor

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MAY 29, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Elliott, seconded by Wiese to approve the General Meeting minutes of May 22, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Dex Media East \$48.00; DPM Petty Cash \$119.34; DS Solutions \$300.00; Ferguson Waterworks \$11009.30; Hanlon Brothers \$ 44682.27; Howes Oil Co. \$24736.20; Kone Inc. \$170.53; Lar-Jo's \$30.40; Lien Transportation Co. \$306019.00; Marco Inc. \$257.95; Midwest Alarm \$78.00; Midwest Art Conservation \$100.00; Pizza Ranch \$84.95:

Repairs & Maintenance: B & B Contracting \$25,130.52; Pro Ag Supply \$4076.82; West Payment Center \$1667.20:

Tire Disposal: New Deal Tire \$19620.50:

Transcriptions: Tammy Erickson \$53.90; Michelle Gaikowski \$114.00; McClanahan Court Reporting \$105.20; Pamela Scheid \$75.00:

Machinery & Equipment: Artz Equipment \$19400.00:

Publications: Aberdeen American News \$293.53; Groton Independent \$154.00:

Travel: Jodi Brown \$113.72; Maxine Fischer \$162.14; Holiday Inn City Centre Sioux Falls \$1270.50; Barry Kusler \$133.94; Scott Meints \$28.12; Russell Metz \$276.53; Karly Winter \$590.39:

Professional Fees: Avera Queen of Peace \$54.90; Donna Dietrich \$153.95; Christopher Dohrer \$5776.13; Tammy Erickson \$120.00; Gellhaus & Gellhaus \$160.00; Kabeiseman & Pollard \$340.00; Kuck Law Office \$5520.83; Leggette, Brasheras & Graham \$1122.00; Lewis & Clark BHS \$447.00; McClanahan Court Reporting \$112.50; Cathy Rehfuß \$15.00; Gina Rogers \$5520.83; SD Dept. of Revenue & Regulation \$250.00; SD Dept. of Transportation \$1148.94; Christy Serr \$5770.83; Sivertsen Technology \$3925.00; Karen Swanda \$15.00; Yankton County Sheriff's Office \$75.00:

Utilities: Midwest Alarm \$51.50; Montana Dakota Utilities Co. \$26.10; Northern Electric Coop. \$100.00; Northwestern Energy \$31.75:

Care of Poor: Rent (3 recipients) BMI Inc. \$300.00, M & M Properties \$300.00, Wolfson Apartments LLC \$260.00; Dr/Hospital (3 recipients) Avera St. Luke's \$5742.91, Sanford Clinic \$136.72; Utilities (1 recipient) Northwestern Public Service \$223.94; Burials (1 recipient) Aberdeen City Treasurer \$500.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve hiring Lisa Wienk as full-time Deputy Auditor, effective May 30, 2012 at \$12.44 per hour. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve hiring Paul Swanston as part-time Fairgrounds Employee, effective May 30, 2012 at \$9.30 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Mavis Kempf as part-time Welfare Department Employee, effective June 19, 2012 at \$10.51 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Cameron Jarvis as part-time Landfill Employee, effective May 30, 2012 at \$12.68 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Don Fischer as part-time Elections Employee, effective June 5, 2012 at \$12.68 per hour. All members present voting aye. Motion carried.

ABERDEEN-BROWN COUNTY REGIONAL RAILROAD TAX AUTHORITY:
Commissioner Fischbach offered the following Resolution:

Resolution #45-12

A Resolution approving the Aberdeen-Brown County Regional
Railroad Authority to Levy Taxes in relation to rail project in Brown County, SD

WHEREAS, the Aberdeen-Brown County Regional Railroad Authority has authorized applying for a loan, and has received approval from the South Dakota State Railroad Board, in the amount of One Million Four Hundred Forty Thousand Dollars (\$1,440,000.00) amortized over fifteen (15) years at the annual rate of two (2) percent per year, with a balloon payment at the end of seven years for the remaining loan balance and accrued interest to fund the construction of a 10,620 foot loop track to facilitate rail car storage and loading for an elevator facility in Brown County, South Dakota; and

WHEREAS, the South Dakota State Railroad Board will require a resolution from the Brown, Beadle, Edmunds, Spink County Commissioners, and the Aberdeen City Council, acknowledging the authority of the Aberdeen-Brown County Regional Railroad Authority to certify any tax levy as allowed by SDCL 49-17A-21 to be used in the event of default to pay such annual payments as may be required to service the project debt arising from the construction of the siding expansion project;

NOW, THEREFORE BE IT RESOLVED that the County of Brown, South Dakota, hereby grants approval for the Aberdeen-Brown County Regional Railroad Authority to certify the amount of tax to be levied as allowed by SDCL 49-17A-21 for repayment of said loan, plus interest, at the rate specified above, in the event of default by Aberdeen-Brown County Regional Railroad Authority and Ochsner Real Estate Limited Partnerships.

Passed, approved and adopted this 29th day of May 2012. Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

SPECIAL MALT BEVERAGE LICENSE HEARING SET:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing for the following Special Malt Beverage License Application: Aspire Foundation Inc, 607 N 4th Street, Aberdeen S.D. 57401 – Lot 1 Parkview Nursery Addition NE ¼ Sec 25-T123N-R64W of the 5th P.M, Brown County, SD, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:00 a.m. on June 19, 2012. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-abstain. Motion carried.

LEASE AGREEMENTS:

Moved by Fischbach, seconded by Wiese to approve the following Agreements: A-Town Roller Girlz for lease of the Expo Building for Roller Derby Event on June 9 & 10, 2012; Linda Urlacher for lease of the Richmond Lake Youth Camp on Jun 21 – 24, 2012. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Elliott, seconded by Wiese to approve application submitted by Yelduz Shriners for raffle to be held on July 20, 2012 (Brown County Speedway). All members present voting aye. Motion carried.

CDBG-YMCA YOUTH DEVELOPMENT CENTER PROJECT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign Environmental Review Documents for the Community Development Block Grant for the YMCA Youth Development Center Project. All members present voting aye. Motion carried.

SVAWA GRANT AGREEMENT:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to sign Grant Agreement between Brown County and the State of SD Department of Social Services for Stop Violence Against Women Formula Grant funding in amount of \$39,000.00 (CFDA 16.588). All members present voting aye. Motion carried.

SET BID DATE – FIRST AVE SE EAST PARKING LOT PROJECT:

Moved by Wiese, seconded by Elliott to authorize advertising public hearing to open, read and consider sealed bids for completion of the First Ave SE East Parking Lot Project, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m. June 19, 2012. All members present voting aye. Motion carried.

BID MC-3000 ROAD OIL:

Moved by Fischbach, seconded by Elliott to award bid, submitted by Flint Hills Resources, Marshall MN for furnishing and delivery of Road Oil MC-3000 @ \$738.96 per 500 tons, as bid by the City of Aberdeen on March 13, 2012; rejecting Jebro Inc MC-3000 @ \$764.17 per 500 tons. All members present voting aye. Motion carried.

DIESEL INVENTORY:

Moved by Wiese, seconded by Hansen to authorize Jan Weismantel, Highway Superintendent to increase diesel inventory capacity at the Claremont and Hecla Highway Shops and discontinue gasoline inventory at same locations. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Elliott to go into executive session for personnel discussion with Kim Dorsett and Andrea Sjomeling in attendance. All members present voting aye. Motion carried.

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

LANDFILL GAS PILOT WELLS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign Contract with Leggette, Brashears & Graham, Inc (LBG) to provide Landfill Gas Pilot Well Installation, Flow Rate Testing, and LFG Quality Measurements in amount not to exceed \$30,434.00 (four wells). All members present voting aye. Motion carried.

WEBSITE DISCUSSION:

John McQuillen and Paul Sivertsen discussed a unified website for Brown County. There was no action taken at this time.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into Executive Session for personnel discussion with John McQuillen and Paul Sivertsen in attendance. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until June 5, 2012.

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

JUNE 5, 2012 – GENERAL MEETING

Meeting called to order by Vice Chairman Elliott at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fischbach and Wiese. Commissioners Hansen and Sutton were absent. Commissioner Elliott led the Pledge of Allegiance.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of May 29, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$6,623.67; Treasurer \$11,393.27; Data Processing \$3,537.47; State's Attorney \$12,901.82; Blood Draws \$360.00; SVAWA Grant \$1,376.16; Maintenance \$6,161.25; Assessor \$11,511.23; Register of Deeds \$7,164.32; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$29,298.68; Jail \$31,444.78; Coroner \$1,350.00; JDC \$13,542.68; HD \$4,159.13; Welfare Office \$4,302.52; Museum \$6,568.24; Parks & Fairgrounds \$5,444.40; Fair \$2,485.97; 4-H \$1,082.40; Weed \$3,963.72; Planning and Zoning \$2,042.95; Highway \$41,287.11; Communications \$19,986.36; Emergency Management \$2,949.42; Teen Court \$452.16; 24/7 Sobriety \$2,023.72; Landfill \$10,460.24; Matching Benefits: FICA \$14,862.86, Medicare \$3,475.94:

Supplies: A & B Business \$292.16; Ameripride Services \$55.84; Bakken Build Maint. \$500.00; Best Business Products \$133.32; Butler Machinery Co. \$195.79; Century Business Products \$117.64; Crawford Trucks & Equipment \$2775.92; Dakota Supply Group \$19.84; Double D Body Shop \$100.00; DPM Petty Cash \$29.36; Fastenal \$358.35; Faulkton Drug \$39.31; Galls \$391.07; Great Western Tire Inc. \$718.90; House of Glass \$148.19; Howe's Oil Co. \$24232.40; Interior Design Concepts \$418.00; Intoximeters Inc. \$246.50; Kmart \$72.00; Lang's TV & Appliance \$215.00; Lawson Products \$363.15; Mac's \$80.61; Marco \$296.09; Midstates Printing \$277.00; Jessica Mitzel \$90.00; North Central Farmer's Elevator \$1585.65; Palmer Distributing \$95.00; Performance Oil & Lubricants \$173.50; Pro Ag Supply \$565.14; Running's \$92.76; Sanderson Lumber Co. \$8.37; SD Secretary of State \$30.00; Vetch Auto Body \$8597.16; Zastrow's Sales & Service \$23.90:

Repairs & Maintenance: House of Glass \$60.20; Lawson Products \$25.68; Meyers Tractor Salvage \$75.00; Pro Ag Supply \$476.07; Safety Service \$298.42; Vetch Auto Body \$5977.50:

Chemicals: Alligare, LLC \$1456.50:

Insurance: Hagan Insurance Group \$396.00:

Machinery & Equipment: Schwan Welding \$60.00:

Publications: Aberdeen American News \$239.32; Dakota Press \$2798.81; Groton Independent \$1357.30:

Travel: Mike Brumbaugh \$50.45; Lori Ehlers \$194.85; Executive Mgmt Finance Office \$880.32; Leo Leshner \$122.47; SDAAO \$1250.00:

Professional Fees: Aberdeen Advanced Care Ambulance \$99.33; Avera St. Luke's \$226.00; Denise Cody \$15.00; Compass Counseling & Assessment \$1250.00; Donna Dietrich \$150.45; Tammy Erickson \$120.00; Faulkton Area Medical Center \$39.67; Lincoln Co. Treasurer \$26.50; Mark Milbrandt \$700.00; Sanford Clinic \$181.18; SD Attorney General's Office \$541.00; SD Department of Revenue & Regulation \$1881.00; Karen Swanda \$15.00:

Utilities: Aberdeen City Treasurer \$68.90; AT & T Mobility \$2348.54; CenturyLink \$43.93; Town of Frederick \$64.50; James Valley Coop. \$222.70; Midcontinent Communications \$308.60; Midwest Alarm \$51.50; Northern Valley Communications \$437.66; NorthWestern Energy \$9939.47; Verizon Wireless \$65.50; Web Water \$85.45:

Care of Poor: Rent (2 recipients) Aberdeen Finance \$280.00, Jerke Rentals, LLC \$300.00; Dr/Hospital (4 recipients) AMG Anesthesiology Aberdeen \$432.00, AMG Group Radiology \$80.63, Avera St. Luke's \$14,616.98; Gas (1 recipient) Br. County Hwy \$41.47. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective June 10, 2012: Cindy Meyers @ \$14.39 per hour, Damian Bahr @ \$19.17 per hour, Polly Rush @ \$16.66 per hour, Cortney Hilgemann @ \$13.90 per hour, Tim Hettich @ \$14.14 per hour, Barry Kusler @ \$16.36 per hour, Stacie Wasem @ \$13.64 per hour, Danica Marshall @ \$13.64 per hour. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Alex Downing, as 4-H Summer Intern, effective June 11, 2012 at \$8.17 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge resignation of Stacie Hallenbeck from the Assessor's Office, effective June 19, 2012. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Fischbach, seconded by Wiese to approve the following Agreement: Dean and Lorri Elverud for lease of the Richmond Lake Youth Camp on June 6 – 9, 2012. All members present voting aye. Motion carried.

LOTTERY APPLICATIONS:

Moved by Wiese, seconded by Fischbach to approve applications submitted by The Brown County Democrats for raffles (2) to be held on September 16, 2012. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Fischbach, seconded by Wiese to declare Decal #3260 PrintTrak digital fingerprint machine surplus property for donation to the Faulk County Sheriff's Office. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Fischbach to approve the May 2012 Auditor's Report of Account with the County Treasurer in total amount of \$20,059,826.21 (total amount of actual cash @ \$1,727.63, Wells Fargo Bank @ \$3,621.29, US Bank @ \$47,076.76, Dacotah Bank @ \$536,134.32, Petty Cash @ \$2,000.00, Fund Investments @ \$19,467,193.84, Outstanding checks \$2,072.37). All members present voting aye. Motion carried.

ANNUAL MALT BEVERAGE LICENSE RENEWAL:

Moved by Wiese, seconded by Fischbach to approve the following applications, effective July 1, 2012 through June 30, 2013: **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. 3-T127-R61; Alan Lanphere, DBA Bath Quick Stop, RR1 Box 96, Bath, SD – Lot B Weismantel's First Subd. Lot 1 ex N 12' Jenkins Subd. E ½ of SE ¼ Sec. 18-T123-R62;; Dave Schumaker, DBA Elm Lake Resort, 37594 102nd St, Forbes, ND – Lot 1, Elm Lake Resort Subd in the SE ¼ of Sec 8-T128-R65, Ex. that portion of Road r/o/w; Alex & Diane Schaeffer, DBA Richmond Oasis LLC, 12845 382nd Ave, Aberdeen, SD –Lot 4 Schaeffer Richmond Lake 2nd Addition NE ¼ of Sec 25-T124-R65W. **RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE:** Aberdeen Hockey Association, Inc, PO Box 515, Aberdeen, SD 57401 – Brown County Fairgrounds SW ¼ Sec 1-T123N-R64W (Odde Hockey Building – map indicating specific building on file with application). Generation 2 Promotions, LLC, Nick Guthmiller DBA Brown County Speedway – Grandstand limited to drawing attached to license- SW ¼ Sec 1-T123N-R64W. **PACKAGE (OFF-SALE) MALT BEVERAGE & SD FARM WINE:** P'ZA, Inc., James Ronning, DBA Anchors Away, 12800 S Shore Dr, Aberdeen, SD 57401-Palmers Richmond Resort SD LT 1 (SD OL 1 Richmond OL 1 &2) Brown County, South Dakota. All members present voting aye. Motion carried.

NEMHC:

Northeastern Mental Health Center representatives Laura Boone and Lisa German presented center statistics and related information in regard to the 2013 NEMHC Budget request.

BID AWARD – CRACK SEALANT:

Moved by Fischbach, seconded by Wiese to award Asphalt Concrete Crack Sealant Bid from State Bid Contract – Project No. P 0022(37) PCN 02WH to Highway Improvement, Inc. for Asphalt Concrete Crack Sealing on various county roads, to be completed on or before September 28, 2012. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign application, submitted by Northern Electric for occupancy of Brown County 14 in Sec 34-T124N-R63W, Brown County, SD to provide power cable. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign applications, submitted by James Valley Telecommunications for occupancy of Brown County Hwy 12E in Sec 21/28/27-T123N-R60W; Brown County Hwy 7 in Sec 9-T126N-R60W, Brown County Hwy 20 in Sec 11-T125N-R60W; Brown County Hwy 11 in Sec 29/30-T125N-R60W, Sec 30/29-T125N-R60W, Sec 27/28-T125N-R61W; Brown County 11/20 in Sec 3-T124N-R60W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

HOMELAND SECURITY GRANT FUNDING:

Moved by Fischbach, seconded by Wiese to appoint Scott Meints and Tom Schmitt as the Brown County representatives on the Homeland Security Funding Committee for NE Region #2, allocating \$233,000.00 to ten counties. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session to discuss contract with Kim Dorsett in attendance; and further to discuss personnel with Jan Weismantel, Sue Gates and Scott Madsen in attendance. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until June 12, 2012.

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

JUNE 7, 2012 – CANVASS OF JUNE 5, 2012 COMBINED PRIMARY ELECTION

Brown County Commissioners Burt Elliott, Mike Wiese and Tom Fischbach; Aberdeen City Council Members Clint Rux, Tom Agnitsch, Jeff Mitchell, David Bunsness, Laure Swanson and Mayor Mike Levsen; Frederick School District 6-2 Board Members Rich Schlosser, Eric Sumption, Lance Podoll and Dennis Walworth convened for purpose of canvassing the June 5, 2012 Combined Primary Election, as authorized by SDCL 12-20-36 at 4:00 p.m. on June 7, 2012 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Also in attendance were Julia Grenz, Deputy Auditor and Mary Campton, Aberdeen City Finance Office.

ABERDEEN CITY PRECINCTS

#001	Poll Book Count	330
	Ballots Counted	330
#002	Poll Book Count	250
	Ballots Counted	250
#003	Poll Book Count	312
	Ballots Counted	312
#004	Poll Book Count	161
	Ballots Counted	161
#005	Poll Book Count	112
	Ballots Counted	112
#006	Poll Book Count	445
	Ballots Counted	445
#007	Poll Book Count	441
	Ballots Counted	441
#008	Poll Book Count	133
	Ballots Counted	133
#009	Poll Book Count	233
	Ballots Counted	233
#010	Poll Book Count	96
	Ballots Counted	96
#011	Poll Book Count	153
	Ballots Counted	153

RURAL PRECINCTS

#012	Poll Book Count	87
	Ballots Counted	87
#013	Poll Book Count	87
	Ballots Counted	87
#014	Poll Book Count	61
	Ballots Counted	61
#015	Poll Book Count	151
	Ballots Counted	151
#016	Poll Book Count	66
	Ballots Counted	66
#017	Poll Book Count	151
	Ballots Counted	151
#018	Poll Book Count	68
	Ballots Counted	68
#019	Poll Book Count	203
	Ballots Counted	203
#020	Poll Book Count	30
	Ballots Counted	30
#021	Poll Book Count	78
	Ballots Counted	78
#022	Poll Book Count	102
	Ballots Counted	102

The Aberdeen City Council and Frederick School District 6-2 Board adjourned.

Moved by Wiese, seconded by Fischbach to adjourn the Canvass Meeting for the June 5, 2012 Combined Primary Election. All members present voting aye. Motion carried.

Maxine Fischer – Brown County Auditor

Published once at the total approximate cost of \$_____.

JUNE 12, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of June 5, 2012 and the Primary Election Canvass minutes of June 7, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Praxair Distribution \$1799.67; Aberdeen Chrysler Center \$400.00; Aberdeen Parks & Rec \$75.00; Ameripride Services \$201.38; Brick Propane \$60.20; Cartney Bearing \$34.38; Cash-Wa Distributing \$6,389.58; Crawford M. S. & F. Inc. \$292.11; Dakota Broadcasting \$3,000.00; Dakota Electronics \$447.80; Danko \$1,846.50; Diesel Machinery \$251.83; Earthgrains \$751.60; Economy Propane LLC \$700.65; Elections Systems/Software Inc. \$2006.70; EverGreen Supply \$9,437.77; Farnams Genuine Parts, Inc. \$140.58; Fire Safety First \$88.91; Galls \$140.46; GLAS Consulting \$135.00; Hanlon Brothers \$18,579.83; Heartland Paper \$1,717.32; Hedahl's \$296.49; Holland Auto Care \$28.55; Hub City Radio \$12,300.00; Interstate Battery System \$302.42; J. Gross Equipment \$931.81; Jensen Rock & Sand \$56,939.98; KDDR \$2,250.00; KDLO \$5,512.00; KDLT \$2,250.00; KELO \$1,500.00; KOKK/KZKK/KIJV/KJRV Huron \$2,400.00; KOLY \$1,500.00; KSFY \$2,500.00; KSJB \$2,250.00; Lien Transporation \$78,476.89; Light & Siren \$18.00; Louie's Service \$174.60; Marco \$90.02; Metro Fire \$2,030.00; Midcontinent \$12,500.00; Midstates Printing \$2,091.61; Newman Signs \$71.39; North Central Farmers Elevator \$15,048.93; Northern Safety Co. \$142.04; Past Perfect Software \$432.00; PCS Mobile \$4,074.00; Pomp's Tire Service \$133.20; PowerPlan \$3,696.45; Share Corp \$374.00; Sheehan Mack Sales \$105.83; Sherri Rawstern \$82.16; Specialty Mfg \$167.81; Steel Structures \$1,090.00; Sterling Solutions \$700.00; Taylor Laundry \$134.50; Titan Machinery \$562.98; Woodman Refrigeration \$86.73.

Repairs & Maintenance: Ameripride Services \$338.99; B & B Contracting \$9975.00; Butler Machinery \$1746.76; Crawford M.S. & F. Inc. \$69.30; Dakota Electronics \$520.00; Diesel Machinery \$5,718.00; DNA Auto Specialists \$38.58; Fire Safety First \$246.71; Hanlon Brothers \$3,220.51; Hedahl's \$42.92; J. Gross Equipment \$510.00; Lien Transportation \$27,233.76; Light & Siren \$9.62; Motorola Communications \$1,153.19; Priority Dispatch \$117.00; Safety Service \$11,150.00; Sheehan Mack Sales \$1,340.35; Titan Machinery \$61.97; Tri-State Water \$30.40; Vosika Fencing \$270.00.

Tire Disposal: New Deal Tire \$4,565.04.

Machinery & Equipment: Schneider Corp \$2,265.00.

Publications: Aberdeen American News \$6698.99.

Travel: Days Inn \$186.00.

Professional Fees: Clark Engineering \$2925.00; James River Water \$30,779.14; Lexis/Nexis Risk Data Mgmt \$100.00; SD Dept of Revenue & Regulation \$4,972.80; Sivertsen Technology \$4,475.00; Tyler Technologies \$1,250.00.

Utilities: Aberdeen City Treasurer \$1083.71; James Valley Cooperative \$137.61; Midcontinent Communications \$166.80; NVC \$958.02; NorthWestern Energy \$545.16.

Care of Poor: Rent (10 recipients) Danne, Inc. \$300.00, Eisenbeis Mobile Home Court \$195.00, Jared Hunstad \$300.00, VIP Services \$50.00, White House Inn \$240.00; Dr/Hospital (9 recipients) Aberdeen Advanced Care Ambulance \$102.17, Avera Medical Group Cardiovascular \$1230.56, Avera St. Luke's \$15,155.86, Dental Center \$104.00; Medications (6 recipients) Kessler's Pharmacy \$103.34, Kmart Pharmacy \$33.06, Shopko Pharmacy \$39.99, United Clinic Pharmacy \$470.36; Utilities (1 recipient) Town of Frederick \$178.00, Montana Dakota Utilities Co. \$142.00; Transportation (1 recipient) Jefferson Lines \$137.00.

Salaries & Wages for Election Workers: Laura Adema \$165.00; Judy Albrecht \$160.00; Sharon Bain \$182.20; Shirley Bender \$176.47; Becky Berreth \$202.00; Alice Bierman \$174.25; Kelly Clark \$165.00;

Craig Clinton \$160.00; Patsy Cutler \$165.00; Sharon Deilke \$165.00; Maxine Dinger \$160.00; Caroline Dinger \$160.00; Carol Erdmann \$160.00; Charlean Erickson \$174.06; Pam Erickson \$165.00; Kori Face \$160.00; Peggy Fliehs \$165.00; Joan Freudenthal \$160.00; Helen Gabriel \$165.00; Ardys Gosch \$165.00; Marilyn Gramlow \$160.00; Joyce Grenz \$183.50; Deb Gustafson \$192.20; Arlene Hanson \$150.00; Darleen Haselhorst \$160.00; Sally Hofer \$160.00; Mavis Hoffman \$160.00; Jill Hostetter \$170.00; Connie Howard \$172.40; Elaine Huff \$165.00; Shirley Jahraus \$160.00; Yolonda Jahraus \$170.00; Diana Kopetsky \$160.00; Florence Kraus \$160.00; Lucille Kushman \$160.00; Bonnie Lamont \$165.00; Mary Lamont \$160.00; Cyndy Larson \$179.80; Pam Larson \$150.00; Darcey Leshner \$189.60; Bonnie Locken \$160.00; Donna Lout \$150.00; Donna Marmorstein \$165.00; Barbara Michlitsch \$170.00; Linda Miles \$160.00; Evangeline Miller \$160.00; Shirley Morgan \$160.00; Lyla Nikolas \$160.00; Janet Norby \$160.00; Dorothy O'Keefe \$160.00; Deb Pagel \$170.00; N. Janis Pearson \$165.00; Pauline Peterson \$165.00; Jean Rahja \$165.00; Linda Siebrasse \$170.00; Dorothy Smith \$160.00; Dallas Solberg \$160.00; Donna Swanhorst \$165.00; Aleda Tollefson \$165.00; Kathryn Vitense \$164.80; Joyce Voeller \$160.00; Marion West \$160.00; Delores Widstrom \$165.00; Kathy Williams \$170.00; Diane Zahalka \$165.00; Sharon Zastrow \$165.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Elliott, seconded by Wiese to approve hiring John Clark as full-time Correctional Officer in the Jail, effective June 26, 2012 at \$13.33 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of April 2012: Jan Weismantel – 91.2 @ \$50.62, Marcus Selzler – 112 @ \$62.16, Kendell Titze – 120 @ \$66.60, Mark Wendt 408 @ \$226.44, Michael Scott – 160 @ \$88.80. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge resignation of Jason Carroll (Sheriff Department), effective June 7, 2012. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Elliott to approve transferring Roxy Hilgenberg from 4-H to Welfare Department, effective July 2, 2012 at \$13.71 per hour. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to approve employee status change for Lynn Heupel from Deputy Auditor to Chief Deputy Auditor, effective June 18, 2012 at \$20.21 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Keith Enderson as part-time Fair Employee, effective August 13, 2012 at \$12.68 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to acknowledge resignation of Marty MacConnell (Highway), effective June 11, 2012. All members present voting aye. Motion carried.

POOR RELIEF:

Commissioner Wiese offered the following Resolution:

RESOLUTION #46-12

WHEREAS, Brown County has filed an Indigent Counsel Lien in total amount of \$898.50, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon payment of \$500.00 cash and on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual.

NOW, THEREFORE BE IT RESOLVED that the following real properties, which are described as follows:

Lot 4, Block 26, of Prior's First Addition to the City of Webster, Day County, South Dakota

Lots 5 and 6, Block 26 of Prior's First Addition to the City of Webster, Day County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$500.00 cash and on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual.

Dated this 12th day of June 2012

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

MILEAGE REIMBURSEMENT RATE:

Commissioner Wiese offered the following Resolution:

Resolution #47-12
Regarding Reimbursement
For Mileage to Brown County Employees
When Using Their Own Vehicles

Whereas; certain Brown County Employees are required to use their own vehicles for travel, and,

Whereas; Brown County sets various reimbursement rates for the year at the first County Commission meeting in January with mileage reimbursement historically based on the State of South Dakota reimbursement rate, and,

Whereas; Fuel prices continue to remain higher than normal, causing a financial burden on Brown County Employees, and,

Whereas; The Brown County Commissioners realize the additional costs incurred by Brown County Employees for fuel and maintenance,

Therefore, Be it Resolved that; On July 1, 2012, the reimbursement rate per mile paid to Brown County Employees for mileage when using their own vehicles will be raised from thirty seven cents per mile to forty seven cents per mile. The rate of forty seven cents per mile will be in effect until the rate is changed by resolution, or until changed during the first County Commission meeting in January, 2013.

Approved this 12th day of June 2012

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

FIREWORKS PERMITS:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Amy Scott, Brown County Fair for a Class B Fireworks Display to be held on August 18, 2012 in the infield of the racetrack at the Fairgrounds. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Wiese to approve the following May 2012 Sheriff Reports: Incident and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

NAWAPA:

Moved by Fischbach, seconded by Hansen to take no action on NAWAPA request. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Elliott to go into executive session for personnel discussion with Kurt Smith and Amy Scott in attendance. All members present voting aye. Motion carried.

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

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

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

JRWDD FUNDING REQUEST:

Moved by Wiese, seconded by Hansen to authorize Jan Weismantel and Gary Vetter request funding for dike repair along the Jim River (County Road 18) from the James River Water Development District. All members present voting aye. Motion carried.

REGISTER OF DEEDS REPORT:

Carol Sherman, Register of Deeds explained the new fee structure effective July 1, 2012 and the estimated additional revenue for Modernization and Preservation of records and new special revenue and agency fund required for implementation.

RECESS:

The Chairman declared the Commission recessed until June 19, 2012.

Maxine Fischer, Brown County Auditor

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JUNE 19, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the General Meeting minutes of June 12, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Elections \$898.55; Auditor \$7,475.81; Treasurer \$11,412.48; Data Processing \$4,461.35; State's Attorney \$12,901.82; SVAWA Grant \$1,269.24; Blood Draws \$160.00; Maintenance \$6,222.51; Assessor \$11,511.22; Register of Deeds \$7,164.31; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Admin \$28,697.59; Jail \$32,793.69; Coroner \$0; JDC \$14,982.73; HD \$4,464.58.58; Welfare Office \$3,565.32; Museum \$6,568.24; Parks & Fairgrounds \$5,975.47; Fair Board \$2,485.97; 4-H \$1,082.40; Weed \$4,504.53; Planning and Zoning \$2,049.17; Highway \$46,003.97; Communications \$22,053.59; Emergency Management \$2,949.42; Teen Court \$296.73; 24/7 \$2,076.70; Landfill \$11,715.51

Matching Benefits: FICA \$15,600.92; Medicare \$3,648.55.

Supplies: Advance Auto Store \$18.16; Ameripride Services \$188.33; Beadle Floral & Nursery \$229.29; Best Business Products \$176.80; Carquest Automotive Stores \$1685.58; Cartney Bearing \$22.89; Center Printing Co. \$270.37; Dahme Construction Co \$523.00; Gardner Locksmithing \$91.04; GCR Tire Center \$1,148.64; Geffdog Designers \$69.00; Hanlon Brothers \$1,259.14; Heartland Paper \$986.28; Hewlett-Packard Co. \$85.00; Kessler's \$326.85; Lien Transportation Co. \$82,857.06; Marco Inc. \$39.14; Midstates Printing \$1,168.74; North Central Farmers Elevator \$7,732.12; Parkview Nursery \$328.35; Pheasantland Industries \$525.58; Pro Ag Supply, Inc. \$21.29; Service Signs & Sales \$1,224.49; Sewing Shoppe \$14.00; Specialty MFG Inc. \$1,701.55; Amy Williams \$47.32; Alligare LLC \$5,726.00; Artz Equipment \$1,422.50; Van Diest Supply Co. \$3,776.65; SD Assoc. of County Commission \$3,823.14.

Insurance: Hagen Group \$450.00

Repairs & Maintenance: A & B Business Inc \$422.27; Aberdeen Chrysler Center \$95.26; Carahsoft Technology Corp \$478.79; GCR Tire Center \$546.50; HF Jacobs & Son \$120.00; Industrial Service \$369.04; Safety Service Inc \$740.41; Frey's Electronics Inc. \$704.54; Hanlon Brothers \$218.25;

Machinery & Equipment: Crawford Trucks & Equipment \$85,436.58; HC Clark Implement Co. \$51,572.00;

Publications: Hub City Radio \$400.00;

Travel: City of Groton \$71.04; Faulk County Sheriffs Office \$240.00; Winner Police Dept. \$69.18;

Professional Fees: Avera St. Lukes \$2,462.90; Brown County Treasurer \$10.00; Horn Law Office \$192.60; Language Line Services Inc. \$90.00; Sara Zahn \$68.00; Thomas Sannes \$3,147.00; SD Dept of Rev & Regulation \$565,060.18.

Utilities: Aberdeen City Treasurer \$1,534.13; Bureau of Information \$338.06; Century Link \$3,816.44; Dependable Sanitation \$28,693.02; City of Hecla \$103.46; Northern Electric Coop, Inc. \$1,008.26; Northern Wireless Communication \$149.90; Northwestern Energy \$1,380.04; WSI Internet Marketing \$300.00.

Care of Poor: Rent (5 recipients) Tom Appletoft \$260.00; E & T Freedom Properties \$260.00; Falcon Rentals \$250.00; Perry Huber \$247.00; Jerke Rentals \$300.00. Dr/Hospital (5 recipients) Aberdeen Advanced Care Ambulance \$110.98; AMG Anesthesiology \$288.00; AMG Group Radiology \$24.55; AMG OB & Gynecology \$1,364.14; Avera St. Luke's \$7,392.55; Orthopedic Surgery \$307.73. Utilities (2 recipients) Northwestern Public Service \$203.50. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Elliott, seconded by Wiese to approve the following employee step increases, effective June 24, 2012: Tracy Madsen @14.29/hr, Cindy Eppard @ 13.09/hr, Jonathan Waldner @ 13.95/hr. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of May 2012: Jan Weismantel – 105.6 @ \$58.61, Marcus Selzler – 154 @ \$85.47, Kendell Titze – 126 @ \$69.93, Mark Wendt 456 @ \$253.08, Michael Scott – 180 @ \$99.90, Gary Vetter - 86 @ \$47.73. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Austin Hoffman, as Highway employee, effective July 2, 2012 at \$13.24 per hour. All members present voting aye. Motion carried.

LOTTERY APPLICATIONS:

Moved by Hansen, seconded by Elliott to approve applications submitted by Whitetail Bowmen Archery Club for raffle to be held on August 31, 2012 (Brown County Speedway) and Relay for Life Team Lifesavers for raffle to be held on August 24, 2012 (Brown County Speedway). All members present voting aye. Motion carried.

CDBG-YMCA YOUTH DEVELOPMENT CENTER PROJECT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign Initial Requirements Document; Grant Agreement No. 1112-114 for the Community Development Block Grant for the YMCA Youth Development Center Project. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign Agreement with Northeast Council of Governments for Administrative Assistance for the Community Development Block Grant for the YMCA Youth Development Center Project. All members present voting aye. Motion carried.

2011 FINANCIAL REPORTS:

Moved by Hansen, seconded by Elliott to accept the 2011 Financial Reports as presented June 19, 2012 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.

BID ADDENDUM FIRST AVE SE PARKING LOT:

Moved by Fischbach, seconded by Wiese to approve Addendum #1 for First Ave SE Parking Lot Project. All members present voting aye. Motion carried.

BID OPEN – FIRST AVE SE PARKING LOT PROJECT:

Time and place, as advertised to open, read and consider bids for the removal of in-place subgrade and surfacing, furnishing and installing gravel base course and either placing three inches of Asphalt Concrete, or six inches of Concrete Pavement. Bids were received from Aberdeen Asphalt, Wright and Sudlow and Lien Transportation. Moved by Hansen, seconded by Elliott to refer all bids to Mick Palmer, Maintenance Manager, and Clark Engineering for review and recommendation. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign the following Special Malt Beverage License Application: Aspire Foundation Inc, 607 N 4th Street, Aberdeen S.D. 57401 – Lot 1 Parkview Nursery Addition NE ¼ Sec 25-T123N-R64W of the 5th P.M, Brown County, SD, for special event to be held June 21, 2012. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-abstain. Motion carried.

WORTHMORE ADDICTION SERVICES (NADRIC):

Worthmore Addiction Services representatives Jan Patterson and Julie Pfeifer presented statistics and related information in regard to the 2013 Worthmore Addiction Services Budget request.

SET BID DATE – RADIO TOWER:

Moved by Wiese, seconded by Hansen to authorize advertising public hearing to open, read and consider sealed bids a county radio tower located at the landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m. July 10, 2012. All members present voting aye. Motion carried.

JRWDD FUNDING REQUEST:

Moved by Wiese, seconded by Elliott to authorize Jan Weismantel and Gary Vetter request funding for dike repair along the Jim River (County Road 11) from the James River Water Development District. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign application, submitted by Centurylink for occupancy of Brown County Road 4 (388th Ave) in Sec 6-T123N- R63W, Brown County, SD to provide power cable. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to approve and authorize the Chairman to sign applications, submitted by Northwestern Energy for occupancy of Brown County Hwy 23 in Sec 3/34-T121/122N-R63W; Brown County Hwy 14S South of Hwy 12 in Sec 21-T123N-R63W, Brown County Hwy 11 in Sec 29/28-T125N-R62W, Brown County, SD to provide underground electric cable. All members present voting aye. Motion carried.

LANDFILL FEE WAIVER REQUEST:

Clarence Habeck requested to have fees waived from landfill for property cleanup. The Commission denied request.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for the discussion of contracts. All members present voting aye. Motion carried.

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

Moved by Wiese, seconded by Elliott to go into executive session for the discussion of contracts. 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 26, 2012.

Maxine Fischer, Brown County Auditor

Published once at the total approximate cost of \$_____.

JUNE 26, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Weise, seconded by Elliott to approve the General Meeting minutes of June 19, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A & B Business \$518.92; Best Business Products \$133.32; CPI \$125.00; Crady's Radiator Shop \$265.00; Randy Crawford \$7.50; Creative Product Source \$160.10; DT Pharmacy \$3402.18; Farm Power Mfg. \$56.91; Gall's \$472.99; Geffdog Designers \$860.16; Heartland Paper \$344.55; Howe's Oil Co. \$23,114.20; Lar-Jo's \$278.69; Lewis Drug Store \$75.07; Lien Transportation \$32,958.14; Marco \$90.28; Medtox Diagnostics \$508.44; Midcontinent Communications \$55.00; Midstates Printing \$1982.61; Moore Medical \$431.44; ProPac \$4,209.13; Runnings \$305.97; Sivertsen Technology \$450.00; Software Unlimited Corp. \$1,680.00; TrueNorth Steel \$15,155.80; US Bank \$11,614.14.

Repairs & Maintenance: Dakota Electronics \$536.00; HF Jacobs & Son Construction \$474.70; Safety Service \$86.88; US Bank \$848.88.

Rentals: Frey's Electronics \$480.76.

Machinery & Equipment: PowerPlan \$237,800.00.

Publications: Aberdeen American News \$671.38.

Insurance: Hagan Insurance \$1054.00.

Travel: Stan Beckler \$15.54; Darwin Bettmann \$11.10; Executive Mgmt Finance Office \$1238.32; Lynn Heupel \$11.10; Duane Jark \$39.96; Patrick Keatts \$17.76; Troy Knecht \$28.86; Dale Kurth \$84.36; Barry Kusler \$28.80; Gene Loeschke \$210.10; Scott Meints \$52.00; Russell Metz \$118.71; Jesse Milbrandt \$61.00; Mark Milbrandt \$487.80; Janice Moore \$183.47; David North \$84.36; Jerome T. Streckfuss \$28.86; US Bank \$770.54; Teresa Vissor \$45.00; Dennis Wiedebush \$26.64; Patti Woods \$52.00; Mary Worlie \$142.14; Tom Fischbach \$188.70; Duane Sutton \$129.13.

Professional Fees: Adams County Sheriff's Office \$59.49; Avera St. Luke's Hospital \$362.81; Brandon Brown \$20.00; Denise Cody \$15.00; Dakota Security Systems \$753.04; Larry Diegel \$20.00; Donna Dietrich \$233.20; Christopher Dohrer \$5770.83; Nicholas Gulden \$20.00; Saun Douglas Hvam \$20.00; Ashley Jensen \$20.00; Kuck Law Office \$5520.83; Lewis & Clark BHS \$447.00; Lincoln County Treasurer \$64.50; Alex Reyes \$40.00; Gina Rogers \$5,520.83; SD Dept. of Revenue & Regulation \$519.00; Christy Serr \$5,770.83; Shreves Law Office \$170.04; Sivertsen Technology \$4,700.00; Karen Swanda \$15.00; University of North Dakota \$2,000.00; Teresa Vissor \$150.00; West Payment Center \$124.19; Luke Yellow Robe \$3,000.00.

Transcriptions: Tammy Erickson \$241.00; Michelle Gaikowski \$48.80.

Utilities: Claremont Town \$123.00; Midcontinent Communications \$53.86; Montana Dakota Utilities \$20.72; Northern Electric \$100.00; NorthWestern Energy \$1,655.24; Verizon Wireless \$65.50.

Budget Drawdown: Alexander Mitchell Library \$15,000.00; Aspire \$950.00; Emma Burnham Public Library \$750.00; City of Groton \$750.00; City of Hecla \$750.00; RideLine \$1,900.00; Warner Library \$750.00.

Care of Poor: Rent: 2 recipients – Jordan Park Townhomes \$256.00; Rockford Apartments \$225.00.

Dr./Hospital: 1 recipient – AMG Group Radiology \$902.26. Utilities: 1 recipient – NorthWestern Public Service \$137.76. Transport: 1 recipient – Jefferson Lines \$166.00. Prescriptions: 2 recipients – Wal-Mart Pharmacy \$184.84. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve Dawn Wipf as blood draw technician for Sherriff's Department effective June 26, 2012, due to resignation of Karlene Geffre. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Bonnie Ketterling as Deputy/Secretary for Assessor's Office, effective June 27, 2012 @ \$12.44/hr. All members present voting aye. Motion carried.

Angie Hagen thanked the Commission for the opportunity to fill in at the Welfare Department and expressed interest in other positions available at the County.

FIREWORKS PERMITS:

Moved by Fischbach, seconded by Hansen to approve firework permits to Krysti Mikkonen effective July 13, 2012 and Kent Larson effective July 3, 2012. All members present voting aye. Motion carried.

AKKERMAN HORSE ARENA:

Commissioner Elliott offered the following Resolution:

RESOLUTION #48-12

FAIRGROUNDS HORSE ARENA DEDICATION

Whereas, the Brown County Fairgrounds Horse Arena has been the site for many events, large and small for many years, and

Whereas, *Larry (Joe) Akkerman* was instrumental in the relocation and construction of the new Brown County Fair Horse Arena, and is a major supporter for all events held at the Fair as well as in the Arena throughout the year, and

Whereas, members of the Fair Board, past and current and many local Brown County residents have suggested that the new Horse Arena be named to honor *Larry (Joe) Akkerman*, in appreciation for his love and support of all Horse and Livestock activities, and

WHEREAS, contributions have been secured for a permanent sign naming the Horse Arena in honor of Larry (Joe) Akkerman.

Now therefore be it resolved by the Brown County Commission on behalf of all Fair Board Members (past and present) and all area residents that the new Fairgrounds Horse Arena be dedicated and named in honor of Larry (Joe) Akkerman.

Further be it proclaimed that a formal dedication ceremony naming the Fairgrounds Horse Arena the

BROWN COUNTY FAIR Akkerman Horse Arena

Shall be held at the Horse Arena on Thursday, August 16th, 2012

Dated this 26th day of June 2012

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

PLATS:

Commissioner Weise offered the following Resolution:

Resolution #49-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Jerry and Judy Biegler's First Addition 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 of thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #50-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Webb-Stanley Tract 1 in the NE ¼ of Sec.24-T123N-R65W of the 5th P.M., Brown County, South Dakota" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #51-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Fulker's Homestead Subdivision in SE ¼ Sec.17-T123N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #52-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Evergreen East 3rd Addition in S1/2SW1/4 Sec.10-T123N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

LEASE AGREEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following lease agreements: Amber Webb for lease of Richmond Lake Youth Camp Sep. 8-9, 2012; The Boy Scouts for lease of Richmond Lake Youth Camp July 20-22, 2012. All members present voting aye. Motion carried.

MUSEUM AND GRANARY:

Sue Gates, Museum Director, discussed the 2013 Budget for the Museum and the Granary.

HIGHWAY SAFETY GRANT APPLICATION:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign FY 2012 Highway Safety Grant Application in amount of \$26,000.00. All members present voting aye. Motion carried.

DOC CONTRACT:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to 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, 2012 through May 31, 2013. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Fischbach, seconded by Wiese to declare 99 International Truck, decal 1860, from Highway Department surplus property for purpose of trade-in. All members present voting aye. Motion carried.

RADIO TOWER BID:

Moved by Hansen, seconded by Wiese to approve amending the Radio Tower Bid Opening Date from July 10, 2012 to July 17, 2012. All members present voting aye. Motion carried.

HOUSING & REDEVELOPMENT BOARD:

Moved by Fischbach, seconded by Wiese to appoint Lonnie Anderson to a second five-year term ending July 9, 2017 on the Housing and Redevelopment Commission of Brown County. All members present voting aye. Motion carried.

OPERATING TRANSFER:

Moved by Fischbach, seconded by Wiese to approve and authorize the following operating transfer in total amount of \$1,863,324.00, as reflected in the 2012 General Fund #101 Budget (101-911-191): Road and Bridge Fund #201-371@ \$1,500,000.00, E911 Fund #207-371@ \$263,324.00, EM Fund #226-371@ \$100,000.00. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Elliott 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, 2012 through June 30, 2013. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

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

CDBG APPLICATION:

Moved by Wiese, seconded by Elliott to authorize NEOG to proceed with CDGB funding application for New Tec. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for the discussion of contracts with Mick Palmer and Don Weigel in attendance. All members present voting aye. Motion carried.

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

BID AWARD- FIRST AVE SE PARKING LOT:

Moved by Hansen, seconded by Elliott to award First Ave SE Parking Lot bid to Wright and Sudlow Schedule "A" PCC Surfacing (only Schedule A bid), in amount of \$100,083.55; rejecting the following Schedule "B" Asphalt Bids Aberdeen Asphalt Inc., in amount of \$83,780.30; Lien Transportation Co., in amount of \$102,123.60 (includes alternate bid). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

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

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign application, submitted by Northern Electric for occupancy of Brown County Road 13 (130th St) beginning in NW ¼ Sec 4 -T123N- R63W, Brown County, SD ending in SW ¼ Sec 33-T124N-R63W to provided underground cable. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Lisa Wienk, Brown County Deputy Auditor

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JULY 3, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Elliott to approve the General Meeting minutes of June 26, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$8,122.08; Treasurer \$11,416.47; Data Processing \$4,707.31; State's Attorney \$12,901.82; SVAWA Grant \$1,269.24; Blood Draws \$280.00; Maintenance \$5,967.93; Assessor \$11,540.51; Register of Deeds \$7,114.55; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Admin \$29,485.80; Jail \$29,126.76; Coroner \$1,200.00; JDC \$13,974.49; HD \$4,151.46.58; Welfare Office \$2,828.12; Museum \$6,492.36; Parks & Fairgrounds \$5,656.63; Fair Board \$2,485.97; 4-H \$1,566.47; Weed \$4,555.24; Planning and Zoning \$2,637.95; Highway \$43,762.84; Communications \$20,124.03; Emergency Management \$2,949.42; Teen Court \$385.04; 24/7 \$2,026.52; Landfill \$11,794.58

Matching Benefits: FICA \$15,600.92; Medicare \$3,648.55; Life \$578.70; Dental \$5,733.00; Health Insurance \$88,809.25; Retirement \$45,603.78

Supplies: A & B Business \$1406.18; Aberdeen Plumbing/Heating \$131.44; Ameripride Services \$55.84; Brown County Treasurer \$438.64; Butler Machinery \$2312.94; Crawford Trucks & Equipment \$815.88; Crescent Electric Supply \$15.29; Dakota Supply Group \$680.03; Dex Media East \$48.00; DSS Image Apparel \$4151.75; Fire Safety First \$277.50; Great North American Co. \$744.35; Heartland Paper \$425.24; Lawson Products \$1772.06; Louie's Service \$440.46; Mac's \$500.94; Menards \$86.32; Meyers Tractor Salvage \$75.00; Mobile Electronic Service \$1600.00; Pioneer Ford \$239.27; Qualification Targets \$85.60; Runnings \$2043.65; Safe Harbor \$3205.00; Share Corp \$246.75; Sivertsen Technology \$450.00; Webb Shoe Co. \$57.25; West Payment Center \$1357.60; Dennis White \$37.50.

Repairs & Maintenance: Butler Machinery \$335.42; Crawford Trucks & Equipment \$472.19; Hoven Auto Repair \$132.95; Lawson Products \$44.10; Marco \$23.29; Midwest Pump & Tank \$282.92; North Central Rental/Leasing \$600.00; Pioneer Ford \$169.99; Runnings \$39.99.

Rentals: Advantage Self Storage \$1656.00.

Publications: Aberdeen American News \$454.29; Groton Independent \$623.69.

Transcriptions: Shephard Reporting \$27.50.

Travel: Comfort Inn \$231.00; Jessie Guthmiller \$364.49; Leo Leshner \$86.58; Scott Meints \$14.10; Russell Metz \$101.75.

Professional Fees: AMG Group Radiology \$248.21; Avera St. Luke's \$859.84; Denise Cody \$15.00; Donna Dietrich \$150.45; Dr. Matt Stricherz \$650.00; Janene Harry \$505.40; Joan Kittelson \$15.00; Language Line Services \$682.78; Leggette, Brashears & Graham \$5300.29; Yankton County Sheriff's Office \$125.00.

Utilities: AT&T Mobility \$207.20; BDM Rural Water \$330.00; Midcontinent Communications \$148.86; NorthWestern Energy \$8837.89; Web Water \$57.10.

Care of Poor: Rent: 1 recipient – Aberdeen Housing Authority \$199.00. Dr/Hospital: 7 recipients – Avera Aberdeen Family Physicians \$291.57; AMG Internal Medicine \$120.40; Avera St. Luke's \$3089.35; Dakota Plains Surgical Center \$12,258.25; The Dentist \$72.00. Utilities: 4 recipients – Aberdeen City Treasurer \$129.75; NorthWestern Public Service \$413.26. Burials: 1 recipient – Aberdeen City Treasurer \$500.00. Transport: 1 recipient – Brown County Treasurer \$62.40. Prescriptions: 3 recipients – Kmart Pharmacy \$23.06; Wal-Mart Pharmacy \$516.00. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign applications: Web Water Development for occupancy of County Road 27 in SE ¼ of Sec 32-T121N-64W, Brown County, SD and Brown County Road 17 in Sec 14-T123N-R63W, Brown County, SD to provide a portable water line. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Elliott-aye, Wiese-aye, Sutton-aye. Motion carried.

HIGHWAY 2011 ANNUAL REPORT:

The Commission acknowledged receipt of the 2011 Annual Report of the Brown County Highway Department.

ASSESSOR'S:

Mary Worlie, of the Assessor's Office, discussed their 2013 Reappraisal Plan.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective July 8, 2012: Paul Wipf @15.95/hr, Sandy Green @14.54/hr, Joyce DesCamps @16.34/hr, Melony Flinn @16.62/hr, Tamara Knoll @14.26/hr. All members present voting aye. Motion carried.

ORDINANCE 12-07-01/407:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing for Ordinance No. 12-07-01/407, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Industrial District to Section 714 (M-AG) Mini-Agricultural District: Wahlen's First Subdivision in the NE ¼ of Sec 8-T123N-R63W of the 5th P.M., Brown County, SD, to be held on July 24, 2011 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

FIREWORKS PERMITS:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Nick Guthmiller, Brown County Speedway to be held on July 6, 2012. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Hansen, seconded by Wiese to declare a Satellite Dish and Pad donated to Extension by SDSU surplus property for disposal by Highway Department, with cost of disposal shared 50/50 by Brown County and SDSU Extension. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Elliott, seconded by Hansen to approve the following lease agreement to Chandler Seiler for lease of Richmond Lake Youth Camp to be held July 5-6, 2012. All members present voting aye. Motion carried.

NOTICE OF BID AWARD- FIRST AVE SE PARKING LOT:

Moved by Hansen, seconded by Elliott to approve notice of award for First Ave SE Parking Lot bid to Wright and Sudlow Schedule "A" PCC Surfacing (only Schedule A bid), in amount of \$100,083.55. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Elliott to go into executive session for the discussion of contracts 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 July 10, 2012.

Lisa Wienk, Brown County Deputy Auditor

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JULY 10, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Elliott, seconded by Fischbach to approve the General Meeting minutes of July 3, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Alligare \$830.00; Ameripride \$307.54; Artz Equipment \$174.08; Bakken Building Maintenance \$500.00; Cartney Bearing \$223.74; Custom Glass & Repair \$200.00; DPM Mercantile \$7.95; Dakota Fluid Power \$1,687.95; Dakota Supply Group \$345.67; Diamond Mowers \$567.82; Diesel Machinery \$571.05; Farmer's Union Coop \$2.00; Fastenal \$95.04; Flint Hills Resources \$22,229.57; Geffdog Designers \$845.10; Graham Tire \$129.00; Heartland Paper \$2,711.19; Hecla Implement \$93.85; Hedahl's \$3.46; Hub City Radio \$300.00; Interstate Battery System \$108.95; Jason's Electric \$313.37; Jensen Rock & Sand \$42,900.76; Ken's SuperFair Foods \$42.90; Leidholt Electric \$56.12; Mac's \$11.04; Marco \$337.30; Matthew Bender & Co. \$127.94; Menards \$310.56; Metro Fire \$23,181.81; Midwest Rubber Stamp \$14.00; Mark Milbrandt \$3.85; Newman Signs \$324.75; North Central Farmer's Elevator \$11,632.42; Northern Valley Communication \$30.00; Pierson Ford \$214.91; Pizza Ranch \$66.95; PowerPlan \$4,322.48; Quality Welding \$39.46; Sheehan Mack Sales \$2,888.11; Sherwin Williams \$38.28; Sivertsen Technology \$675.00; Spot Freight \$1,585.00; Taylor Laundry \$46.00; Tyler Technologies \$294.75; Van Diest Supply Co. \$1,075.95; Wallwork Truck Center \$154.22; West Payment Center \$284.00; Woodman Refrigeration \$165.82; Zastrow's Sales & Service \$70.40.

Repairs & Maintenance: Aberdeen Asphalt \$10,119.68; Ameripride \$274.48; Dakota Electronics \$226.50; Dakota Fluid Power \$465.78; Diesel Machinery \$1,568.00; GCR Tire Center \$160.30; HF Jacobs & Son Construction \$3,077.56; Leidholt Electric \$619.80; Malsam Construction \$90.00; North Central Farmer's Elevator \$1,775.00; Pauer Sound & Music \$1,500.00; Pierson Ford \$258.25; PowerPlan \$1,411.93; Pro Ag Supply \$12.78; Sheehan Mack Sales \$4,846.79; Swanston Equipment Corp \$7,000.00; Wallwork Truck Center \$7.00.

Publications: Aberdeen American News \$305.95; Groton Independent \$131.50.

Travel: Mark Milbrandt \$262.07; Michael Wiese \$28.12; Patti Woods \$11.75.

Professional Fees: Brevik Law Office \$255.85; Clark Engineering \$2,805.00; Christopher Dohrer \$832.98; Koletzky Law Office \$219.20; SD Association of County Commission \$12,460.28; SD Dept. of Revenue & Regulation \$536,331.51; SD Dept. of Transportation \$246,228.23; SD Human Services Center \$600.00; Sivertsen Technology \$6,175.00; Kristi Spitzer \$1,125.00; Tyler Technologies \$1,000.00.

Utilities: Aberdeen City Treasurer \$1,510.21; AT & T Mobility \$2,151.70; CenturyLink \$43.93; Town of Frederick \$32.25; James Valley Cooperative \$353.88; Midcontinent Communications \$168.86; Midwest Alarm \$204.00; Northern Valley Communication \$652.78; NorthWestern Energy \$711.67.

Care of Poor: Rent: 2 recipients – Falcon Rentals \$260.00; Sylvia J. Karst \$130.00. Dr/Hospital: 1 recipient – Avera Aberdeen Family Physicians \$85.57. Utilities: 1 recipient – Northwestern Public Service \$320.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Hansen to adjust part-time salary of \$10.51 to \$12.68 for part-time Welfare employee Mavis Kempf, effective June 19, 2012. All members present voting aye. Motion carried.

FAIR BOARD BY-LAW UPDATE:

Moved by Elliott, seconded by Wiese to approve the updated Fair Board By-laws, as presented, effective May 16, 2012. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Hansen, seconded by Fischbach to accept for filing the April – June 2012 Interest Statement (\$13,671.98), submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the June 2012 Auditor's Report of Account with the County Treasurer in total amount of \$14,630,537.73 (total amount of actual cash @ \$3,174.03, Wells Fargo Bank @ \$3,621.29, US Bank @ \$45,540.65, Dacotah Bank @ \$231,880.23, Petty Cash @ \$2,000.00, Fund Investments @ \$14,343,695.56, Outstanding checks \$625.97). All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE:

Moved by Fischbach, seconded by Hansen to approve application for a Special Malt Beverage License: Groton Chamber of Commerce, PO Box 21, Groton, S.D. 57445 – E ½ E ½ SE ¼ Sec 19-T123N-R60W and W ½ W ½ SW ¼ Sec 20-T123N-R60W of the 5th P.M., Brown County, SD, effective July 20 & 21 and 22, 2011. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Hansen, seconded by Wiese to approve application submitted by Aberdeen Rural Firefighters for raffle to be held on August 3, 2012 (Brown County Speedway). All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Fischbach, seconded by Elliott to approve the following agreement, submitted by Dakota Entertainment for lease of the Club House on July 8-9, 2012. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign agreements transferring the following equipment: Columbia Fire Department (pagers), Hecla fire Department (SCBA) purchased through the 2010 Homeland Security Equipment Grant Program; Groton Police Department (MDT) purchased through the 2011 HLS Equipment Grant Program; Michael Merkel, Tigh Leibel and Brown County 4-H (radios) purchased through the LEPC Equipment Grant Program. All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Hansen, seconded by Elliott to approve the following General Fund Surplus Cash Analysis Reports: September 2011 @ \$495,614.99 (3.29%) and March 2012 @ \$2,239,122.86 (14.87%). All members present voting aye. Motion carried.

BID RADIO TOWER:

Moved by Hansen, seconded by Elliott to authorize Jan Weismantel, Highway Superintendent and Maxine Fischer, County Auditor open and read the Radio Tower bids on July 17, as the Commission will not be meeting. All members present voting aye. Motion carried.

CLAIMS:

Moved by Fischbach, seconded by Hansen to authorize the Auditor's Office pay any claim that could result in a late fee prior to approval on July 24, 2012. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until July 24, 2012.

Maxine Fischer, Brown County Auditor

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JULY 24, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the General Meeting minutes of July 10, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$7,878.89; Treasurer \$11,416.50; Data Processing \$3,934.94; State's Attorney \$12,916.22; Blood Draws \$840.00; SVAWA Grant \$1,269.24; Maintenance \$6,201.20; Assessor \$11,468.98; Register of Deeds \$7,057.49; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Adm \$30,505.74; Jail \$32,248.80; Coroner \$0; JDC \$14,503.95; HD \$4,682.06; Welfare Office \$3,047.80; Museum \$6,568.24; Parks & Fairgrounds \$5,573.36; Fair \$2,485.97; 4-H \$982.39; Weed \$4,818.86; Planning and Zoning \$2,049.17; Highway \$41,431.23; Communications \$21,626.38; Emergency Management \$2,949.42; Teen Court \$222.55; 24/7 Sobriety \$2,087.85; Landfill \$11,465.18; Matching Benefits: FICA \$15,181.19, Medicare \$3,550.44

Supplies: A & B Business \$133.14; Aberdeen Asphalt \$492,333.09; Big Stone Radio \$1500.00; Flint Hills Resources \$14,219.15; GLAS Consulting \$292.50; Lily's Floral \$608.19; Marco \$213.07; Tri State Water \$30.40; Lisa Wienk \$49.81; 3D Specialities \$1848.46; 446-Praxair Distribution \$464.65; A & B Business \$124.97; Aberdeen American News \$149.00; Aberdeen City Treasurer \$25.06; Aberdeen Insurance Agency \$50.00; Ace Refrigeration \$551.82; American Health & Safety \$100.50; Ameripride Services \$55.84; Appeal Entertainment \$1800.00; Artist Representation & Mgmt \$2000.00; Phil Baker \$865.00; Best Business Products \$176.80; Bonnie Bitz \$168.00; Kristen Bjerke \$53.00; Brown County Treasurer \$179.96; CarQuest Automotive \$1219.11; CWD \$7053.16; GCR-Consolidated Ready Mix \$1959.00; Connecting Point \$800.00; Crescent Electric Supply \$347.16; Dakota Electronics \$746.20; Dakota Pump & Control \$553.57; DSS Image Apparel \$18.95; DT Pharmacy \$1403.57; Earthgrains \$632.71; Eilers \$212.85; Emergency Poor Fund \$20.00; Farm Power Mfg \$25.61; Fire Safety First \$75.00; Gardner Locksmithing \$48.50; GCR Tire Center \$202.00; Gellhaus & Gellhaus \$80.00; GLAS Consulting \$337.50; Great North American Co. \$60.95; Great Western Tire \$11,169.37; Headliner Talent Marketing \$4900.00; Heartland Paper \$617.10; HF Jacobs & Son Construction \$203,624.07; Howes Oil \$24,793.40; Kessler's \$240.92; Lawson Products \$41.88; Lewis Drug Store \$28.24; Lien Transportation \$9087.15; Linton Entertainment \$1750.00; Teresa Mann \$33.70; Midcontinent Communications \$108.86; Midstates Printing \$546.33; Midwest Rubber Stamp \$14.00; Moore Medical \$319.19; Nelson Sales & Service \$38.00; North Central Farmers Elevator \$6077.66; North Star Energy \$56.00; Old Dominion Brush \$1137.41; Performance Oil & Lube \$148.50; Plainview Mfg \$2475.00; Pumps Tire Service \$33.95; Pro Ag Supply \$75.72; Proforma \$476.41; Gina Rogers \$233.09; Schwan Welding \$110.00; SD Federal Property Agency \$423.00; Sewing Shoppe \$29.25; Sivertsen Technology \$210.02; SOS Garage Door \$67.15; SD Magazine \$285.00; Swanson Electric \$516.64; Taylor Laundry \$63.00; Thank-A-Farmer \$3600.00; Theatrical Media Services \$19,000.00; Tractor Supply Co. \$224.93; US Bank \$12,705.50; Van Diest Supply Co. \$3638.75; Volk Upholstery \$59.85; Rich Wieber Stunt Bike Show \$5500.00.

Repairs & Maintenance: A-1 Sanitation \$50.00; Aberdeen City Treasurer \$9165.00; Ace Refrigeration \$698.70; Auto Glass Solutions \$40.00; Brown County Treasurer \$55.16; Dakota Electronics \$37.50; Double D Body Shop \$86.75; Electrical Engineering & Equipment \$465.71; Farm Power Mfg \$85.54; GCR Tire Center \$1106.42; Graham Tire \$14.00; KOS Concrete \$8296.68; Lawson Products \$11.99; Midwest Alarm \$654.42; Motorola Communications \$1153.19; Palmer Distributing \$72.80; Pro Ag Supply \$178.95; Schmidt Construction \$2774.05; Swanson Electric \$378.83; Town & Country Plumbing & Heating \$88.00; US Bank \$1598.16; Volk Upholstery \$95.00.

Publications: Aberdeen American News \$333.09.

Travel & Conference: City of Groton \$92.50; Scott Madsen \$228.40; Scott Meints \$47.00; Sanford Health Center \$50.00; US Bank \$1056.11; Gary Vetter \$14.00; Jan Weismantel \$28.00.

Recycleables: HF Jacobs & Son Construction \$1030.26; SpotFreight \$1585.00.

Rentals: Brick's Roto Rooter \$6400.00; Fire Safety First \$300.00; Gompf Display \$1755.00; Spotslam \$1674.00; Street Smart Rental \$3400.00; T & K Rentals \$8550.00; Vision Communications \$1942.00.

Professional Fees: 4H Performing Arts \$200.00; Aberdeen American News \$188.00; Aberdeen Lions Club \$700.00; Avera Clinic Division \$39.67; Avera St. Luke's \$5758.75; Shyla Baltzell \$20.00; Boys Scout Troop 51 \$3000.00; Carol Butzman Consulting \$132.63; CMW Cleaning Services \$4800.00; Denise Cody \$15.00; Lois Davis \$30.00; Pat Dennert \$30.00; Donna Dietrich \$215.95; Amy Engelhart \$750.00; Tammy Erickson \$137.50; Michelle Gaikowski \$99.40; Glacial Lakes Chili Cook-Off \$150.00; Go Kart Association \$840.00; Good Shepherd Lutheran Church \$2500.00; Korkow Rodeo \$25,000.00; Language Line Services \$295.72; Lewis & Clark BHS \$447.00; Lexis/Nexis Risk Data Mgmt \$50.00; Lucas Co. Sheriff Office \$25.00; Machinist Union 862 \$950.00; McClanahan Court Reporting \$44.15; MeierHenry Sargent LLP \$39,800.00; Pauer Sound & Music \$7000.00; R & R Total Destruction Promotions \$7000.00; SD Dept. of Revenue & Regulation \$209.00; SD Human Services \$600.00; SD Nurse's Association \$900.00; Sivertsen Technology \$5300.00; Slowey Reporting Service \$137.50; Karen Swanda \$15.00; Theatrical Media Services \$27,950.00; West Payment Center \$124.19; Yankton Co. Sheriff Office \$50.00; Yankton Co. Treasurer \$830.00.

Utilities: Bureau of Administration \$283.82; CenturyLink \$1430.18; Hecla City \$81.75; Northern Electric Cooperative \$887.61; Northern Valley Communications \$753.18; Northern Wireless Communications \$149.90; NorthWestern Public Service \$1164.96. Aberdeen City Treasurer \$3896.82; CenturyLink \$2377.31; Dependable Sanitation \$24,432.22; Midcontinent Communications \$168.86; Midwest Alarm \$51.50; NorthWestern Public Service \$2426.88; Verizon Wireless \$65.90.

Other: J & N Mfg \$1064.82; James River Water Development Dist. \$6035.51.

Care of Poor: Rent: 16 recipients – Arrow Enterprises \$260.00; Bobby Agency \$130.00; E & T Freedom Properties \$260.00; Falcon Rentals \$250.00; Harley G. Schaible, Jr. \$175.00; Rockford Apartments \$508.00; Soltice Holdings \$280.00; White House Inn \$80.00; Zumbaum Property Mgmt. \$470.00, SD Real Estate \$260.00; Michael J. Thomle \$260.00; Wolfsong Apartments \$260.00; Zumbaum Property Mgmt \$320.00. Dr/Hospital: 5 recipients – Avera St. Luke's \$22,199.06. Medications: 3 recipients – Jones Drug \$16.82; Kessler's \$17.97; Kmart \$56.20; United Pharmacy \$116.99. Utilities: 1 recipient – NorthWestern Public Service \$121.86. Burials: 3 recipients – Aberdeen City Treasurer \$250.00; Carlsen Funeral Home \$2460.40; Sunset Memorial Gardens \$400.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Elliott to approve the following employee step increases, effective July 22, 2012: Russ Ochsner @ 16.50/hr, Teresa Mann @ 13.23/hr, Pam Sudlow @ 13.53/hr, Tonya Walth

@ 15.13/hr, Brian Bahr @ 13.64/hr, Roxy Hilgenberg @13.53/hr (correct error in June 12 meeting minutes). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Kyle Stugelmayer as part-time employee for States Attorney, effective August 6, 2012 at \$8.17/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve transferring Tina McLeod from States Attorney to 4-H Department, effective August 6, 2012 at \$13.36 per hour. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following Agreements: Richmond Lake Youth Camp for Kelly Raap on August 11-12, 2012, Krysti Mikkonen on July 12-15, 2012, NewLife Fellowship on September 14-15, 2012, Watertown Human Service Agency on August 8-10, 2012; All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve the following Special Event Lease Agreement: Brown County Speedway for the Monster Truck Show on July 28, 2012. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Wiese to approve the following June 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

Resolution #53-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Alexander Russo First Subdivision in the SW ¼ of Sec 9-T122N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #54-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Ham Farm Subdivision in the NW ¼ of Sec 9-T126N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

SPECIAL MALT BEVERAGE LICENSE:

Moved by Hansen, seconded by Elliott to approve and authorize the Chairman to sign the following Special Malt Beverage License Application: Centennial Village at the Brown County Fairgrounds, Aberdeen S.D. 57401 – SW ¼ of Sec. 1-T123N-R64W of the 5th P.M., Brown County, SD, for special event to be held August 13 and 15-19, 2012. All members present voting aye. Motion carried.

ORDINANCE 12-07-01/407:

Moved by Hansen, seconded by Elliott to continue public hearing for Ordinance No. 12-07-01/407, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Industrial District to Section 714 (M-AG) Mini-Agricultural District: Wahlen's First Subdivision in the NE ¼ of Sec 8-T123N-R63W of the 5th P.M., Brown County, SD, to August 28, 2012 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

BID DOCUMENTS- FIRST AVE SE PARKING LOT:

Moved by Elliott, seconded by Wiese to approve and authorize Chairman to sign Agreement and Notice to Proceed with Wright and Sudlow for First Ave SE Parking Lot Project. All members present voting aye. Motion carried.

ORDER OF INCORPORATION OF CATTAIL DRIVE:

Commissioner Hansen offered the following Resolution:

RESOLUTION #55-12 ORDER OF INCORPORATION OF CATTAIL DRIVE ROAD DISTRICT BROWN COUNTY, SOUTH DAKOTA

WHEREAS, on May 15, 2012, the Brown County Commission acknowledged receipt of Petitions for the formation of Cattail Drive Road District subject to the approval by the landowners registered to vote within the district; and

WHEREAS, the first and second notice of voter registration deadline for the election on the incorporation of the Cattail Drive Road District was published; and

WHEREAS, the first and second notice of election for the incorporation of the Cattail Drive Road District was published; and

WHEREAS, the Brown County Auditor appointed electors and judges for the election for the incorporation of the Cattail Drive Road District; and

WHEREAS, the election on the incorporation of the Cattail Drive Road District was held on July 10, 2012; and

WHEREAS, the Brown County Auditor canvassed the election and the results of the election were five (5) registered voters in the district in favor of the incorporation and zero (0) registered voters in the district against incorporation;

NOW, THEREFORE, IT IS ORDERED, that based upon the above and foregoing, the Board of the Brown County Commission is satisfied with the legality of the election and hereby orders and declares that the Cattail Drive Road District is incorporated by the name adopted.

FURTHER, IT IS ORDERED, that this Order shall be conclusive of the fact of such incorporation and all suits by or against the Cattail Drive Road District pursuant to SDCL 31-12A-11.

Dated this 24th day of July 2012 at Aberdeen, Brown County, South Dakota.

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

CDBG NEWTEC:

Time and place, as advertised, for public hearing to consider funding for NewTec. No action was taken as a new hearing date will be set.

BUDGET PRESENTATION:

Jim Barringer and Chris Haar presented information in regard to the 2013 Budget Request for the Aberdeen Development Corporation.

MUSEUM:

Sue Gates, Museum Director, discussed a cost saving estimate to update exhibit lighting at the Museum and the need to paint the two main granary buildings. Board concurred.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Elliott to go into executive session for the discussion of personnel with Sue Gates 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.

BEACON WEB SITE:

Moved by Hansen, seconded by Wiese to authorize Mary Worlie, Director of Equalization, to open a free site for the public with limited information in conjunction with current Beacon Web services. All members present voting aye. Motion carried.

BID LANDFILL DOZER:

Moved by Elliott, seconded by Fischbach to authorize advertising public hearing to open, read and consider sealed bids for the purchase of a new 2012 or current model Tractor Dozer (Waste Handling) for the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m. August 14, 2012. All members present voting aye. Motion carried.

WAIVE FEES – FALL CLEANUP:

Moved by Hansen, seconded by Wiese to approve waiving fees during the Fall Residential Cleanup Event for all materials received at the Landfill ONLY from August 31- September 15, 2012. Charges will apply to all mobile homes, business and commercial waste during this time frame. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign applications: Web Water Development for occupancy of County Road 10 Sec 2-T124N-R64W, Brown County, SD to provide a potable water line. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Elliott-aye, Wiese-aye, Sutton-aye. Motion carried.

BID AWARD- RADIO TOWER AND LIGHTING:

Moved by Wiese, seconded by Elliott to award bid for Radio Tower and Lighting Project, submitted by Midwest Steeplejacks in amount of \$49,856.00 for Tower and \$7953.00 for Lighting; rejecting bids submitted by Allstate Tower, Inc in amount of \$63,165.00 for Tower and \$6950.00 for Lighting, SF Tower & Communications in amount of \$59,074.00 for Tower and \$6021.00 for Lighting, Specialty Tower Lighting LTD in amount of \$5600.00 for Lighting, and ITL, LLC in amount of \$3926.25 for White Strobe System and \$8323.75 for LED System (bids opened by Jan Weismantel and Maxine Fischer on July 17, 2012). All members present voting aye. Motion carried.

JAMES RIVER WATER DISTRICT:

Dave Bartel, Randy Stanley and Randy Grismer discussed what projects they are working on implementing for the James River Water District.

SHERIFF:

Tom Schmitt and Mark Milbrandt, the Sheriff's office, discussed the Sheriff Office's 2013 Budget.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for the discussion of personnel 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.

BUDGET WORK SESSION:

The Commission began preliminary discussions of the 2013 budget.

RECESS:

The Chairman declared the Commission recessed until July 31, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

JULY 31, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of July 24, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$7,832.25; Treasurer \$11,420.49; Data Processing \$3,818.27; State's Attorney \$12,916.22; SVAWA Grant \$1,269.24; Blood Draws \$840.00; Maintenance \$6,143.53; Assessor \$11,668.04; Register of Deeds \$7,114.57; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Admin 30,256.87; Jail \$31,697.14; Coroner \$0; JDC \$13,645.10; HD \$4,435.52; Welfare Office \$2,915.33; Museum \$6,568.24; Parks & Fairgrounds \$5,866.80; Fair Board \$2,597.93; 4-H \$506.54; Weed \$4,727.31; Planning and Zoning \$2,055.39; Highway \$46,915.45; Communications \$20,439.68; Emergency Management \$2,949.42; Teen Court \$491.02; 24/7 \$2,032.10; Landfill \$11,154.39

Matching Benefits: FICA \$15,352.46; Medicare \$3,590.44; Life \$585.90; Dental \$5,803.56; Health Insurance \$89,903.61; Retirement \$30,616.58

Supplies: A-1 Sanitation \$7634.86; Aberdeen Plumbing & Heating \$7809.89; Ameripride Services \$55.84; Best Business Products \$133.32; Brown County Old Time Tractor \$1200.00; Consolidated Ready Mix \$1959.00; Creative Product Source \$254.60; Dex Media East \$48.00; EcoLab Pest Elimination \$406.46; Gall's \$30.48; Heartland Paper \$2080.21; HF Jacobs & Son \$201,000.00; Intoximeters \$2000.00; Lar-Jo's \$267.75; Mario Manzini Entertainment \$2000.00; Midstates Printing \$268.00; Moore Medical \$131.62; Northern Beef Packers \$9012.00; Pro Ag Supply \$111.51; SD Dept. of Transportation \$312.39; SD Planners Association \$55.00; Sivertsen Technology \$2798.98; Steven Lust Automotive \$356.14; TrueNorth Steel \$56,939.75; West Payment Center \$879.40; Matt Zeller \$300.00.

Repairs & Maintenance: Bureau of Information \$3000.00; Double D Body Shop \$241.80; Frey's Electronics \$592.65; Steven Lust Automotive \$244.40; Swanston Equipment Corp \$7000.00.

Publications: Aberdeen American News \$190.11; Groton Independent \$190.11; West Payment Center \$774.50.

Travel & Conference: Lori Ehlers \$393.44; Kathy Fischer \$190.35; Jessie Guthmiller \$180.80; Leo Leshar \$111.39; Gene Loeschke \$106.22; Russell Metz \$245.81.

Transcriptions: Pamela Scheid \$41.50.

Professional Fees: Aberdeen Advanced Care Ambulance \$3264.00; AMG Group Radiology \$176.65; Avera St. Luke's \$5560.83; Christopher Dohrer \$5770.83; Douglas County Court \$5.25; Dustin Evans & Good Times \$3500.00; Janet Elsen \$1050.00; Frederick Inflatable Theater \$300.00; Great Day Touring \$50,000.00; Headliner Talent Marketing \$900.00; Kuck Law Office \$5520.83; Scott McFall \$3600.00; OZWorth, Inc. \$25,000.00; Gina Rogers \$5520.83; Romeo Entertainment Group \$24,000.00; SD Dept. of Revenue & Regulation \$1036.00; SD Human Services \$63.00; Christy Serr \$5788.93; Show Me Fifteen \$20,000.00.

Utilities: AT & T Mobility \$2367.84; Midcontinent Communications \$148.86; Montana Dakota Utilities \$14.63; NW Energy \$10,515.23; Web Water \$69.29.

Other: Sioux Falls Tower Specialists \$3255.00.

Care of Poor: Rent: 3 recipients – Tom Appletoft \$260.00; Sandy Grodzin \$260.00; Rockford Apartments \$260.00. Dr/Hospital: 3 recipients – Aberdeen Advanced Care Ambulance \$255.18; Aberdeen Surgical Associates \$1099.04; Dental Center \$1380.00. Medications: 1 recipients – Avera Home Medical Equipment \$184.06. Utilities: 1 recipient – NW Public Service \$130.00. Burials: 4 recipients – Spitzer Miller Funeral Home \$3101.66. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Elliott, seconded by Wiese to approve the following employee step increases, effective August 5, 2012: Dennis VanHeerde @ 15.37/hr, Daryl Lloyd @ 15.52/hr, Stanley Schulz @ 17.02/hr. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to adjust part-time salary of \$12.68/hr to \$14.13/hr for part-time Welfare employee Mavis Kempf. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Hansen, seconded by Wiese to approve application submitted by The Boys and Girls Club for raffle to be held on August 13-19, 2012. All members present voting aye. Motion carried.

DISINTERMENT PERMIT:

Moved by Fischbach, seconded by Wiese to acknowledge and accept Notice of Disinterment Permit (Bertsch) affecting Brown County from the SD Department of Health Vital Records. All members present voting aye. Motion carried.

ORDINANCE 077:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing for Ordinance No. 077, An Ordinance to Amend Title 11 Enhanced 911 Emergency Telephone Reporting System of the Second Revision Brown County Ordinances of the 5th P.M., Brown County, SD, to be held on August 21, 2012 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign application: Northern Electric for occupancy of Brown County Road 11 NW 1/4 Sec 35-T125N-R60W, Brown County, SD to provide a primary electric cable. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign applications: James Valley Telecommunications for occupancy of Brown County Road 23 Sec 3-T121N-R64W; Brown County Road 23 Sec 3/2-T121N-R64W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

SET BID DATE – HALL CROSSING:

Moved by Elliott, seconded by Wiese to authorize advertising public hearing to open, read and consider sealed bids for Hall Crossing (FEMA 2011 Project Upgrade), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:50 a.m. August 21, 2012. All members present voting aye. Motion carried.

FAIRGROUNDS OPEN BURNING BAN

Commissioner Hansen offered the following Resolution;

RESOLUTION NO. 56-12

WHEREAS, Brown County having been experiencing very dry conditions, and

WHEREAS, most vegetation in and around the Brown County Fairgrounds is very dry, and

WHEREAS, the Brown County Commission is dedicated in taking steps to protect the health and safety of all citizens taking part in Brown County Fair and all property within the fairgrounds boundaries, and

WHEREAS, the Brown County Commission has consulted with local emergency management officials, fire officials, and law enforcement officials in regard to the severity of this issue.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission enact this resolution on an emergency basis to declare a "Fire Danger Emergency" and impose a ban to prohibit or restrict open burning and all campfires within the boundaries of the Brown County Fairgrounds, with the exception of commercially purchased cooking grills or barbeque grills in order to protect the public health and safety, as per County Ordinance 18.02; and

RESOLVE that the ban will be in place from the 12:01am CST 11th day of August thru 11:59:pm CST 22st day of August 2012; and

FURTHER RESOLVE that criminal and civil penalties per County Ordinance 18.0703 be imposed if found in violation of this Resolution.

Dated this 31st day of July 2012.

Seconded by Commissioner Wiese. Roll Call Vote: Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution Adopted.

NORTHERN BEEF PACKERS:

Dirk Rogers, Northern Beef Packers, and Mike Scott, Landfill Superintendent, discussed an agreement being drafted with Northern Beef Packers Plant and Brown County Landfill to dispose of solid waste.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Elliott to go into executive session for the discussion of contracts and personnel with Kim Dorsett and Charlene Millim 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.

BUDGET WORK SESSION:

The Commission continued discussions of the 2013 budget.

RECESS:

The Chairman declared the Commission recessed until August 7, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

August 7, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott and Fischbach. Commissioner Wiese was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Fischbach, seconded by Elliott to approve the General Meeting minutes of July 31, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: 446-Praxair Dist. \$104.03; A & B Business \$328.48; Aberdeen Chrysler Center \$909.08; Alligare \$1801.00; Ameripride \$434.56; Avera Health \$350.00; Bakken Build Maint. \$500.00; Brown County Treasurer \$63.72; Butler Machinery \$1187.16; City Directories \$800.00; CMRS-FP \$5000.00; Crawford Trucks & Equip. \$327.04; Dakota Electronics \$3160.00; Dakota Supply Group \$121.82; Diamond Mowers \$1144.50; Do-All Insulation \$85.00; Farm & Home Publishers \$3957.00; Geffdog Designers \$1522.36; Great Western Tire \$1263.75; Heartland Paper \$499.35; Hecla Implement \$69.01; HF Jacobs & Son Construction \$1612.69; Howe's Oil Co. \$23,250.00; Hub City Radio \$300.00; Kessler's \$198.80; Lang's TV & Appliance \$639.99; Lar-Jo's \$150.14; Louie's Service \$571.60; Mac's \$136.46; Teresa Mann \$19.07; Marco \$410.03; Menards \$661.93; Midstates Printing \$93.06; Otis Elevator \$846.00; PowerPlan \$117.61; Quality Welding \$13.00; Running's \$19.49; Safety Service \$192.64; Sivertsen Technology \$1683.98; Taylor Laundry \$101.00; Titan Machinery \$384.70; TrueNorth Steel \$8310.00; West Payment Center \$1357.60; Woodman Refrigeration \$178.57; Zastrow's Sales & Service \$602.95.

Repairs & Maintenance: A-1 Sanitation \$40.00; Aberdeen Asphalt \$3853.15; Butler Machinery \$287.36; Dakota Electronics \$313.25; Fastenal \$333.12; GCR Tire Center \$15.00; Industrial Service \$155.00; Lar-Jo's \$400.00; Marco \$125.39; PowerPlan \$349.18; Riley Masonry \$3774.00; Sewer Duck \$185.00.

Publications: Aberdeen American News \$582.77.

Travel & Conference: Executive Mgmt. Finance Office \$1247.98; Leo's Café \$212.50; SD Counties \$1650.00; SD Emergency Mgmt. Assoc. \$80.00; SD Planner's Assoc. \$80.00; Mary Worlie \$98.08.

Professional Fees: Avera St. Luke's \$5,160.40; Michael Carlsen \$1050.00; Clark Engineering \$1994.10; Dental Center \$112.68; Kenneth Kusler \$150.00; Leggette, Brashears & Graham \$35,063.30; Ophthalmology Assoc. \$156.60; Safe Harbor \$2954.60; Sanford Clinic \$185.32; SD Dept. of Revenue & Regulation \$1803.63; Sivertsen Technology \$4225.00; Kristi Spitzer \$435.00.

Jury: Keith Aman \$12.22; Chelsie Anderson \$35.90; Florence Barton \$20.36; Lisa Berbos \$13.70; Laurie Bomar \$11.48; Nicole Borge \$10.74; JoAnn Braun \$11.48; Jon Carey \$114.80; Rebecca Clocksene \$30.72; Jonathan Cutler \$10.74; Penny Darling \$107.40; Tara Decker \$11.48; Norma Dennert \$120.72; Gerald Devall \$10.74; Brett Dinger \$10.74; Reginald Dougherty \$10.74; Lisa Dyce \$12.22; Jennifer Eighmy \$11.48; Kyle Elsen \$11.48; Katherine Entzel \$14.44; Kathleen Falk \$27.02; Anna Farthing \$11.48; Sheila Fordham \$24.80; Shaun Gates \$11.48; Alisha Gebur \$11.48; Angela Godfrey \$11.48; Danny Greibrok \$11.48; Diane

Hall \$10.74; Ronald Hauck \$11.48; Terrance Hausken \$10.74; Gerald Hegge \$11.48; Paula Hehn \$15.18; Bruce Henderson \$111.84; Harriet Heupel \$11.48; Cristina Hieb \$11.48; Breanne Holzer \$11.48; Clayton Hoven \$101.48; Brittany Jacobson \$11.48; Linda Johnson \$28.50; Bruce Jones \$113.32; Harriet Jones \$16.66; Todd Jordre \$12.22; Colleen Klein \$10.74; Hope Kramer \$10.74; David Kreber \$12.22; Julie Krieger \$101.48; Cliff Kuckelburg \$10.74; Arthur Marmorstein \$10.74; Muriel Mattson \$102.96; Thomas Miller \$12.96; Laurie Mitchell \$32.20; Bruce Moe \$10.74; Bradley Moore \$12.22; Nicole Morgan \$10.74; Brandon Mulvenna \$10.74; Darcee Munsterteiger-Adolf \$15.92; Jonathon Murdy \$101.48; Timothy Nikolas \$101.48; Miranda Nissen \$101.48; Michele Padfield \$26.28; Valentina Parsons \$120.72; Mirande Pate \$12.96; Judith Pfothenauer \$12.22; Steven Post \$11.48; Bernice Premack \$10.74; Everett Quam \$12.22; Dean Rogers \$12.96; Karen Rohrbach \$13.70; Tina Russell \$101.48; Nancy Schrenk \$10.74; Julie Shanley \$10.74; Gene Skoglund \$47.00; Aubrey Smelley \$11.48; Kevin Steffen \$12.96; Shane Titze \$11.48; Ryan VanMeter \$10.74; Leroy Volk \$13.70; Darlene Wahl \$10.74; Eric Walters \$11.48; Zachary Wanttie \$11.48; Daniel Washenberger \$19.62; Nicholas Wegleitner \$35.90; Lorinda Wild \$10.74.

Utilities: Aberdeen City Treasurer \$1705.88; BDM Rural Water \$35.00; CenturyLink \$45.31; James Valley Cooperative \$354.20; Northern Valley Communication \$1434.43; NorthWestern Energy \$4465.73; Town of Frederick \$32.25.

Rentals: Child Evangelism Fellowship \$100.00.

Machinery & Equipment: Devnet \$3000.00.

Care of Poor: Rent: 2 recipients – Evan Cummins \$250.00; Rod Eikamp \$250.00. Dr/Hospital: 5 recipients – Aberdeen Surgical Assoc. \$1101.58; Avera St. Luke's \$8652.84; Dakota Plains Surgical Center \$3953.45. Medications: 5 recipients – Jones Drug \$166.81; Kessler's \$370.62. Utilities: 1 recipient – NW Public Service \$50.00. Gas: 3 recipients – Brown County Treasurer \$72.15. Transport: 5 recipients - Jefferson Lines \$353.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Elliott to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of June 2012: Jan Weismantel – 81.60 @ \$45.29, Marcus Selzler – 147 @ \$81.59, Kendell Titze – 120 @ \$66.60, Mark Wendt 228 @ \$126.54, Michael Scott – 170 @ \$94.35, Gary Vetter - 128 @ \$71.04. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to approve hiring the following part-time employees, effective August 13- 20, 2012 (Brown County Fair): Shawn Loomis, Nancy Goss, Michael Lynch, Allan Mivshels @ \$9.35/hr; Chris Gackstetter, Amanda Green, Amber Barten, David Holm, Sage Miller, Jan Erickson, Mavis Kempf, Roxy Hilgenberg @ \$9.30/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Elliott to approve hiring the following part-time employees, effective August 13-20, 2012 (Brown County Fair Security): Tom Barstad, Brady Berg, Jeff Carlson, Nick Cochran, Tanner Jondahl, Jason Kraft, Jon Lemke, Melissa Pagel, Kyle Stoddard, Dar VanDover, Brad Ziegler, Mike Wiese, Jeff Neal, Tim McCurdy, Matthew Olson, Mike Law @ \$18.00 per hour. All members present voting aye. Motion carried.

ORDINANCE 12-08-01/408:

Moved by Fischbach, seconded by Elliott to authorize advertising public hearing to consider the Petition filed by Harley Mohr to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Proposed Lots 1 and 2, Mohr's Third Subdivision in the SW ¼, SW ¼, of Sec 36-T124N-R64W of the 5th P.M., Brown County, SD, to be held on August 28, 2012 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Elliott, seconded by Hansen to approve and authorize the Chairman to sign application: James Valley Telecommunications for occupancy of Brown County Road 23 Sec 2-T121N-R64W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign application: Web Water for occupancy of Brown County Road 27 Sec 32-T121N-R64W, Brown County, SD to provide a potable water line. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Elliott-aye, Sutton-aye. Motion carried.

SPECIAL MALT BEVERAGE AND TEMPORARY WINE LICENSES:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign the following Special Malt Beverage License Applications: Aberdeen Hockey Association – Brown County Fairgrounds (Clubhouse) SW ¼-Sec 1-T123N-R64W, effective August 13-19, 2012; Boys & Girls Club - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective August 13–19, 2012 and Brown County Fairgrounds (Behind the Stage) SW ¼ of Sec 1-T-123N-R64W, effective August 16-18, 2012; Temporary On-Off Sale Wine License Application: Kessler's Inc. (RW19541)– Brown County Fairgrounds (Kessler's Tent) SW ¼-Sec 1-T123N-R64W, effective August 18, 2012; Temporary Off- Sale SD Farm Wine License Application, submitted by White Headed Robin Winery- Brown County Fairgrounds (Special Booth) SW ¼ Sec 1-T123N-R64W, effective August 13-19, 2012 (maps indicating specific area licensed on file with applications). All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the July 2012 Auditor's Report of Account with the County Treasurer in total amount of \$13,344,957.43 (total amount of actual cash @ \$3,564.26, Wells Fargo Bank @ \$3,621.29, US Bank @ \$45,546.53, Dacotah Bank @ \$135,363.30, Petty Cash @ \$2,000.00, Fund Investments @ \$13,154,626.31, Outstanding checks \$235.74). All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Elliott, seconded by Hansen to approve the following lease agreement to Wayne Johnson for lease of Richmond Lake Youth Camp Lodge to be held August 25-26, 2012. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for the discussion of contracts 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.

DATA PROCESSING/DISPATCH BUDGET DISCUSSION:

John McQuillen and Paul Sivertsen met to discuss the 2013 Budget request for the Data Processing Department and Dispatch.

CLOSING AUDIT CONFERENCE:

Dave Schlosser, Department of Legislative Audits met with the Commission for closing conference for audit of fiscal year 2011.

BUDGET WORK SESSION:

The Commission continued discussions of the 2013 budget.

RECESS:

The Chairman declared the Commission recessed until August 14, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

AUGUST 14, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Elliott to approve the General Meeting minutes of August 7, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$7,883.57; Treasurer \$11,435.68; Data Processing \$3,732.84; State's Attorney \$12,941.99; Blood Draws \$200.00; SVAWA Grant \$1,269.24; Maintenance \$6,053.82; Assessor \$11,668.03; Register of Deeds \$7,114.56; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$29,566.70; Jail \$31,308.27; Coroner \$0; JDC \$14,168.07; HD \$4,153.94; Welfare Office \$2,789.20; Museum \$6,568.24; Parks & Fairgrounds \$6,414.94; Fair \$2,840.51; 4-H \$557.19; Weed \$3,585.79; Planning and Zoning \$2,049.17; Highway \$47,477.31; Communications \$19,284.29; Emergency Management \$2,949.42; Teen Court \$201.35; 24/7 Sobriety \$2,029.31; Landfill \$11,259.53; Matching Benefits: FICA \$15,176.22, Medicare \$3,549.23

Supplies: A-1 Locksmithing \$130.50; Academy Trophy & Engraving \$50.00; Ameripride Services, Inc. \$202.10; Bonnie Bitz \$288.00; Cash-Wa Distributing \$5,609.03; Dakota Prairie Mercantile \$25.00; Dakota Electronics \$2,406.05; Digital Alley \$68.00; DT Pharmacy \$1,636.85; ED Roehr Safety Products \$542.89; Engel Music Supply \$160.00; Fire Safety First \$44.00; Gellhaus & Gellhaus \$80.00; Glas Consulting \$135.00; Graham Tire Inc \$10.75; Heartland Paper \$1,601.87; Kessler's \$14.56; Lu Xu: Museum \$200.00; Marco \$30.21; Donald Montileaux \$480.00; Morphotrak, Inc. \$30,042.00; North Central Farmers Elevator \$16,030.86; Pheasantland Industries \$82.49; Pizza Ranch \$426.88; ProBuild \$1,125.00; Sherri Rawstern \$70.57; Van Diest Supply Co. \$5,558.45

Repairs & Maintenance: Auto Glass Solutions Inc. \$40.00; J Gross Equipment \$675.96; Karst Car Care \$417.15; Pierson-Ford-Lincoln-Mercury \$244.35; Sheehan Mack Sales \$2,151.10; Steven Lust Automotive \$18.80

Transcriptions: Michelle Gaikowski \$1,813.00

Publications: American News \$2,693.28

Professional Fees: Avera St. Lukes \$56.50; Bath Volunteer Fire Department \$500.00; CHS Dance Team \$700.00; CHS Track & Cross Country Team \$1,500.00; Dude, Inc: Dierks Bentley \$100,000.00; KSJB \$180.00; Lexis/Nexis Risk Data Management \$50.00; NSU Women's Swim Team \$4000.00; NSU Wrestling Team \$500.00; Romeo Entertainment Group, Inc. \$2,795.00; SD Dept. of Revenue & Regulation \$492,692.94; VRBR Production: Barrel Race \$1,000.00; VRBR Production: Parking Assist \$900.00

Utilities: Aberdeen City Treasurer \$26.50; CenturyLink \$1,381.63; Executive Management Finance \$298.57; Midwest Alarm \$51.50; Northern Electric Coop, Inc. \$960.32; Northern Wireless Communication \$149.90; Northwestern Energy & Communication \$231.00

Care of Poor: Rent: 8 recipient – Bobby Agency LLC \$260.00; E & T Freedom Properties, LLC \$240.00; Mark Grasse \$260.00; Harley Schaible, Jr. \$175.00; Pat Preston \$320.00; Rockford Apts. \$280.00; The Journey Home \$280.00; Dr/Hospital: 4 recipients – Avera St. Lukes \$1,106.71; Orthopedic Surgery Specialist \$3,284.84; Utilities: 2 recipient – Northwestern Public Service \$213.08. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Elliott, seconded by Wiese to approve the following employee step increases, effective August 19, 2012: Kristie Vetter @ \$13.93/hr, John Heine @ \$20.49/hr, Scott Kolb @ \$20.44/hr, Sherri Rawstern @ \$14.84/hr, Brandon Mills @ \$13.64. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following July 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

OPEN BID LANDFILL DOZER:

Time and place, as advertised to open, read and consider bids for a Track Dozer for the Brown County Landfill. Bids were received from Butler in amount of \$561,073.00 for Option 1 (total cost bid) and \$726,584.00 for Option 2 (standard bid), RDO in amount of \$483,945.65 for Option 1 and \$595,000.00 for Option 2 and DMI in amount of \$654,436.00 for Option 2. Moved by Wiese, seconded by Fischbach to refer all bids to Mike Scott, Landfill Manager for review and recommendation. All members present voting aye. Motion carried.

CDBG/ NEWTEC:

Commissioner Hansen offered the following Resolution:

RESOLUTION #57-12

Authorizing Community Development Block Grant Application To Assist In The Workforce Development Program In Brown County

WHEREAS, Brown County proposes to execute an application for \$164,500 Community Development Block Grant funds to fund the Workforce Training Initiative in Brown County; and

WHEREAS, Brown County is eligible for Federal assistance for the proposed project; and

WHEREAS, with the submission of the Community Development Block Grant application, Brown County assures and certifies that all Community Development Block Grant program requirements will be fulfilled; and

WHEREAS, Brown County has held the required public hearing on Tuesday, August 14, 2012, for the Community Development Block Grant; and

WHEREAS, Brown County is required to designate a certifying officer for the purpose of signing documents pertaining to this grant; and

WHEREAS, Brown County is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this grant;

NOW, THEREFORE BE IT RESOLVED, that the Chair of the Brown County Commissioners, will be authorized to execute the Community Development Block Grant application for the County; and

AND BE IT FURTHER RESOLVED, that the Chair of the Brown County Commissioners, be hereby designated as the County's certifying officer for the purpose of signing correspondence, pay requests, and other required documents;

AND BE IT FURTHER RESOLVED, that the Chair of the Brown County Commissioners be hereby designated as the County's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

Seconded by Commissioner Wiese. Roll call vote: Commissioner's Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Resolution adopted.

EQUIPMENT PURCHASE:

Moved by Elliott, seconded by Wiese to approve purchase of a Radio Tower Building from Federal Surplus in the amount of \$8,750.00 by the Highway Department. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve purchase of one 12 foot Reverse-a-Cast Snow Plow per quote submitted by Wausau-Everest in amount of \$12,851.00; rejecting quote submitted by NTEC in amount of \$16,197.00. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve purchase of one Material Spreader per quote submitted by Sanitation Products, Inc. in amount of \$11,680.00; rejecting quote submitted by NTEC in amount of \$12,880.00. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare the following property surplus for sale at 1st Ave SE: Vacant parcel of land (approximately 25' x 140') within Lot 1 Brown County Commissioner's Subdivision to the City of Aberdeen (plat #1201) lying directly North and adjacent to vacated alley lying North and adjacent to the West 17 feet of Lots 13 and all of Lots 14, 15, 16, 17 and 18 except the West 10 feet of Lot 18, Block 62, Northwestern Addition to Aberdeen (plat #6) of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

2013 PROVISIONAL BUDGET:

Moved by Fischbach, seconded by Wiese to approve the 2013 Provisional Budget and authorize advertising public hearing to be held in the Commissioner's Chambers, Courthouse Annex, at 9:00 A.M. on September 4, 2012. Roll call vote: Commissioner's Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 21, 2012.

Lisa Wienk, Brown County Deputy Auditor

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AUGUST 21, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the General Meeting minutes of August 14, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Aberdeen Asphalt \$579,140.83; Aberdeen Plumbing & Heating \$297.27; Artz Equipment \$464.44; Best Business Products \$176.80; CarQuest Automotive \$1436.12; Cartney Bearing \$59.48; Centennial Village \$50.00; Consolidated Ready Mix \$1422.25; Dakota Fluid Power \$541.96; Dakota Oil \$120.60; Diesel Machinery \$436.95; Farm Power Mfg. \$56.46; Fastnel Co. \$198.72; Fire Safety First \$26.00; Gardner Locksmithing \$221.53; GCR Tire Center \$33.25; GovConnection \$264.94; Green Iron Equipment \$28.35; Heartland Paper \$737.78; Hedahl's \$14.42; Highway Improvement \$74,999.54; Holloway Construction \$69,722.10; House of Glass \$120.96; Howe's Oil \$25,683.00; Lawson Products \$347.23; Lien Transportation \$102,825.31; Lyle Signs \$10,563.60; Marco \$176.81; Menards \$873.31; Millstone Restaurant \$486.16; North Central Farmers Elevator \$3064.26; North Star Energy \$117.00; Northern Electric \$200.00; Pizza Ranch \$580.00; Pomp's Tire Service \$18.50; Schwan Welding \$230.98; SD Federal Property Agency \$200.00; Share Corp \$507.00; Sheehan Mack Sales \$3316.21; Sherwin Williams \$145.40; Specialty Mfg. \$405.12; Tyler Technologies \$187.50; United Laboratories \$694.25; US Bank \$16,721.15; Wallwork Truck Center \$248.81.

Repairs & Maintenance: Amerpride \$344.03; Ben Hofer Backhoe \$2186.70; Brown County Treasurer \$66.76; Cunningham Electric \$14,380.38; Diesel Machinery \$404.00; Farm Power Mfg. \$1855.14; GCR Tire Center \$889.16; Lawson Products \$12.45; Malsam Construction \$4113.00; Marco \$265.66; Pauer Sound & Music \$35.00; Sheehan Mack Sales \$1560.50; US Bank \$1281.03; Wallwork Truck Center \$30.00.

Publishing: Aberdeen American News \$499.79.

Travel & Conference: City of Groton \$86.58; Gary Vetter \$58.00; Leo Leshner \$111.86; Gene Loeschke \$141.47; SDSWMA Annual Conference \$1270.00; US Bank \$4327.51.

Professional Fees: Avera Queen of Peace \$314.50; Avera St. Luke's \$265.28; NE Mental Health Center \$2028.00; SD Dept. of Revenue & Regulation \$3749.21; Sivertsen Technology \$4975.00; West Payment Center \$124.19.

Utilities: Aberdeen City Treasurer \$2804.68; Century Link \$2444.06; Dependable Sanitation \$25,038.80; City of Hecla \$92.38; Northern Electric \$1286.42; North Western Energy \$1930.63.

Other: James River \$1070.94; Language Line Services \$274.40.

Machinery & Equipment: Sivertsen Technology \$699.99.

Care of Poor: Utilities: 1 recipient – NW Public Service \$41.64; Town of Frederick \$162.73. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring Ryan McClain as full-time Corrections Officer in the Jail, effective August 21, 2012 at \$13.33 per hour and acknowledge the resignation of Amy Williams as a full-time Corrections Officer in the Jail, effective August 17, 2012. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Hansen to distribute information and encourage Brown County Department Heads attend a Dealing with Difficult People Seminar to be held at the Aberdeen Ramada Convention Center on November 5, 2012. All members present voting aye. Motion carried.

PARKING LOT USE REQUEST:

Moved by Fischbach, seconded by Wiese to approve a request from Aberdeen Downtown Association to use the County parking lot just north of the Museum on Saturday, August 25th 2012 for Sizzlin' Summer Nights from 9am to 10pm. All members present voting aye. Motion carried.

SOLID WASTE SPECIAL ASSESSMENT FEES - 2013

Commissioner Wiese offered the following Resolution:

RESOLUTION # 58-12

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, 2013 through December 31, 2013, 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 @ \$21.00 per year
2. Households within Incorporated Cities or Civil Townships that do not require curb service @ \$77.00 per year
3. Condominiums taxed as single units within Incorporated Cities or Civil Townships that require curb service @ \$21.00 per year
4. Condominiums taxed as single units within Incorporated Cities or Civil Townships that do not require curb service @ \$77.00 per year
5. Apartment Units and Assisted Living Units within incorporated Cities that require curb service @ \$13.00 per unit per year
6. Seasonal Lake Cabins @ \$34.00 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 @ \$21.00 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 @ \$77.00 per unit per year

Dated this 21st of August 2012.

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

SOLID WASTE TIPPING FEE SCHEDULE - 2013

Commissioner Fischbach offered the following Resolution:

RESOLUTION #59-12

WHEREAS, Title 3, Solid Waste Management System, Chapter 3.07010 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners to establish the fees for use of the landfill.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Tipping Fee Schedule shall be effective January 1, 2013:

SOLID WASTE TIPPING FEE SCHEDULE

PRICES EXCEPT MINIMUM CHARGE DO NOT REFLECT 4% SALES TAX

ALL LOADS MUST BE TARPED AND SECURED

ALL WASTE MUST BE SORTED AND PUT INTO PROPER AREAS

Type		Fee
Appliances	Refrigerators, Freezers, Air Conditioners, Dehumidifiers With or Without FREON	\$12.50 per item
Asbestos ¹	Friable – Powdery or Dusty state, can be crumbled and reduced to powder by hand	\$ 5.00 per bag
Compost	Grass, Leaves and Light Garden Residue	FREE
Contsoil	Gas and Diesel Contaminated Soil (notification and analysis required before disposal)	\$ 7.00 per ton
Contsoilsp	Contaminated Soil Special (NW Energy, Coal Gasification)	\$38.00 per ton
Contsmix	Waste Oil and Mixed Fuel Contaminated Soil	\$11.50 per ton
E-Waste	Electronic Waste – TV's, Computers, Copiers, Printers, etc	\$100.00 per ton
MSWRB	Rubble waste placed in Unit 1	\$20.00 per ton
INDSW	Industrial Solid Waste	\$38.00 per ton
MSW1	Municipal Solid Waste – IN COUNTY (Paper, plastic, cardboard, carpet, upholstered furniture, mattress, box springs, etc.) (Check with Landfill for material not accepted)	\$38.00 per ton
MSW2	Municipal Solid Waste – OUT OF COUNTY (same as MSW1)	\$38.00 per ton
MSWCR	Rural container site collection waste	Assess per ton
MSWDA	Carcasses (notification required prior to dumping)	\$38.00 per ton
Rubble 1	Construction debris-lumber, shingles, sheetrock etc.	\$20.00 per ton
Rubble 2	Heavy debris, concrete, dirt, rocks etc.	\$14.00 per ton
Rubble 3	Pallets	\$20.00 per ton
Mobile Homes	– all sizes	\$250.00 per unit
Scrap Metal	Metals	\$20.00 per ton
Sludge	Sump waste (analysis may be required)	\$10.00 per ton
Tires	Large quantities priced per ton	\$200.00 per ton
Tires Count	Car and light truck	\$ 2.50 per tire
Tire Shreds	Shredded tires (cell disposal)	\$38.00 per ton
Tree Chips	Wood chips from trees	\$14.00 per ton
Trees ¹	Trees less than 8 inches in diameter	\$20.00 per ton
Trees 2	Trees more than 8 inches in diameter (must be 8' or shorter in length)	\$14.00 per ton

Minimum Charge (except on per item fees) 4% Sales Tax included \$ 3.00

The following items are accepted free:

Lead Acid Batteries, Waste Oil, Paint, Grass and Leaves, Computer and Office Paper, Cardboard,
#1 and #2 Plastic, Magazines, Phone Books, Antifreeze (residential only) and Propane Tanks

Dated this 21st of August 2012.

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

SPECIAL MALT BEVERAGE LICENSE:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign the following Special Malt Beverage License Application: NESD Celtic Faire and Games – Brown County Fairgrounds (Holum Expo Building) SW ¼-Sec 1-T123N-R64W, effective September 15 and 16, 2012. All members present voting aye. Motion carried.

WIND ENERGY LETTER OF SUPPORT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign letter to the Congressional Delegation in support of the Wind Energy Production Tax Credit Program, as requested by the Pearson Public Affairs Group. All members present voting aye. Motion carried.

DIVE TEAM:

Moved by Elliott, seconded by Wiese to approve amending the Dive Team Roster by removing Cole Adema, Rick Adema and Shane Smith. All members present voting aye. Motion carried.

ORDINANCE 077:

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 077, An Ordinance to Amend Title 11 Enhanced 911 Emergency Telephone Reporting System of the Second Revision Brown County Ordinances, as amended. All members present voting aye. Motion carried.

BID OPENING – HALL CROSSING:

Time and place, as advertised to open, read and award bid for the Hall Crossing (FEMA 2011 Project Upgrade) for the Brown County Highway. Moved by Fischbach, seconded by Hansen to accept low bid submitted by B & B Contracting in the amount of \$136,728.50 for labor and material to complete the repair of 124th Street at Hall Crossing of Elm River (BR148); rejecting bid submitted by Lien Transportation in the amount of \$235,360.15. All members present voting aye. Motion carried.

MAINTENANCE:

Mick Palmer and Judy Dosch from the Maintenance Department discussed their list of upcoming projects and their importance.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for April – June 2012.

BID AWARD- LANDFILL DOZER:

Moved by Fischbach, seconded by Hansen to award low bid for furnishing and delivery of Tractor Dozer for waste handling at the Brown County Landfill, submitted by RDO in amount of \$595,000.00; rejecting bids submitted by Butler in the amount of \$726,584.00 and from DMI in the amount of \$654,436.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for contract discussion with Kim Dorsett and Kurt Smith 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 Elliott, seconded by Wiese to authorize the States Attorney take legal action concerning the Richmond Rental Property. All members present voting aye. Motion carried.

PLANNING/ZONING:

Moved by Elliott, seconded by Fischbach to authorize purchase of a new transmission for the Planning and Zoning Department vehicle. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss contract with Kim Dorsett, Mary Worlie, Gary Vetter and Mick Palmer in attendance. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until August 28, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

AUGUST 28, 2012 - JOINT ABERDEEN CITY/BROWN 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, Bunsness, Campbell, Remily and Mayor Levsen. Present from County were Commissioners Hansen, Elliott, Fischbach, Wiese and Sutton.

ORDINANCE #12-07-01/407:

On motion by Bunsness and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance #12-07-01/407.

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance #12-07-01/407, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Industrial District to Section 714 (M-AG) Mini-Agricultural District: Wahlen's First Subdivision in the NE ¼ of Sec 8-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE #12-08-01/408:

On motion by Agnitsch and seconded by Remily, the City unanimously voted to approve First Reading of Ordinance #12-08-01/408.

Moved by Elliott, seconded by Hansen to approve First Reading of Ordinance #12-08-01/408, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Proposed Lots 1 and 2, Mohr's Third Subdivision in the SW ¼, SW ¼, of Sec 36-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

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

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

AUGUST 28, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Elliott, seconded by Wiese to approve the General Meeting minutes of August 21, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$7,196.61; Treasurer \$11,917.52; Data Processing \$3,607.92; State's Attorney \$11,983.15; SVAWA Grant \$1,269.24; Blood Draws \$1,120.00; Maintenance \$6,132.45; Assessor \$11,668.04; Register of Deeds \$7,114.56; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Admin 29,099.23; Jail \$30,249.23; Coroner \$1,200; JDC \$13,674.86; HD \$4,113.08; Welfare Office \$1,882.75; Museum \$6,497.79; Parks & Fairgrounds \$11,488.41; Fair Board \$20,755.89; 4-H \$2,594.94; Weed \$5,107.02; Planning and Zoning \$2,055.39; Highway \$43,795.93; Communications \$18,831.43; Emergency Management \$2,949.42; Teen Court \$300.26; 24/7 \$2,029.31; Landfill \$11,991.17

Matching Benefits: FICA \$16,522.15; Medicare \$3,864.06; Life \$576.90; Dental \$5,715.36; Health Insurance \$88,535.66; Retirement \$31,295.30

Supplies: Ameripride Services \$55.84; Best Business Products \$133.32; Dakota Supply Group \$8613.92; Dex Media East \$48.00; Downie's Piano Tuning \$35.00; DPM Petty Cash \$30.00; Janet Elsen \$163.89; Fire Safety First \$55.50; Flint Hills Resources \$114,435.34; Geffdog Designers \$34.56; John Heine \$97.42; Homestead Milk Delivery \$368.66; Ken's SuperFair Foods \$124.96; Lien Transportation \$2825.95; Midcontinent Communications \$53.86; North Central Farmers Elevator \$2967.47; PharmChem \$42.00; Plaques & Engraving \$6.50; Race West Awards \$1069.10; Sherri Rawstern \$63.59; Rieck Eske \$29.80; Safety Service \$138.00; Sander's Sew-n-Vac \$523.95; Schwan Welding \$86.00; SD Assoc. of County Officials \$100.00; Sioux Falls Shopping News \$184.95; Sivertsen Technology \$117.98; Van Diest Supply \$431.64; West Payment Center \$1976.80.

Repairs & Maintenance: Dakota Supply Group \$968.56; Lar-Jo's \$350.00; Priority Dispatch \$405.00.

Publishing: Aberdeen American News \$255.58.

Travel & Conference: Dware \$50.00; Phil Chalmers \$338.00; Red River Pedal Pulls \$485.00; Amy Scott \$313.78; SD Human Services Center \$70.50.

Professional Fees: Bonn Express \$53.01; Denise Cody \$45.00; Christopher Dohrer \$5770.83; Dominoe's Pizza \$256.62; Fox, Youngberg & Lewno \$171.16; Kuck Law Office \$5520.83; Leggette, Brashears & Graham \$3333.67; Lewis & Clark BHS \$149.00; Lucy Lewno \$406.35; Gary Mikelson \$243.30; PRCA \$900.00; Public Safety Group \$2500.00; Gina Rogers \$5520.83; SD Assoc. of County Officials \$1226.00; SD Human Services Center \$600.00; Christy Serr \$5770.83; Soil Technologies \$4250.00; Karen Swanda \$45.00; Swanson Electric \$7333.74; Thurman Law Office \$179.90; University of ND \$535.02.

Transcriptions: Kristi Brandt \$398.20; Frantzen Reporting \$32.30; Shepherd Reporting \$27.50.

Utilities: Midcontinent Communications \$263.86; NorthWestern Energy \$34.05; Verizon Wireless \$65.88.

Fair Judges: Aleda Tollefson \$30.00; Amy Frink \$30.00; Ann Gibbs \$30.00; Ben Galbreath \$165.00; Brittany Traxinger \$30.00; Carol Hein \$30.00; Catherine Knapp \$30.00; Collin Galbreath \$125.00; Courtney Wolff \$55.00; Darcee Munsterteiger \$30.00; Duane Jark \$30.00; Ellen Schlosser \$30.00; Elsie Wells \$30.00; Emily Sperry \$30.00; Evalyn Smith \$30.00; Gwen Hanson \$50.00; Harlan Bohn \$135.00; Howard Anderson \$30.00; Jeff Vanderwal \$110.00; Jenna Dennert \$30.00; Justin Fruechte \$215.00; Kacey Holm \$115.00; Karen Harr \$50.00; Karen Wolter \$30.00; Kierston Sombke \$30.00; Linda

Gengerke \$30.00; Linda Huettl \$30.00; Lois Davis \$30.00; Marilyn Maloney \$30.00; Mark Sperry \$30.00; Mike Hassebrook \$30.00; Missy Hanson \$205.00; Pat Dennert \$30.00; Pat Downing \$30.00; Rebecca Whitlock \$180.00; Ruby Rezac \$180.00; Sherri Perrion \$40.00; Stephanie Mattson \$30.00; Tyler Melroe \$145.00; Wayne Fischer \$155.00.

Care of Poor: Rent: 1 recipient – Briscoe Rentals \$320.00. Insurance: 1 recipient – BCBS of SD \$488.80. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Elliott to approve the following employee step increases, effective September 2, 2012: Samiulela Mouna @ \$15.49/hr, Dustin Peiker @ \$17.63/hr, Jeanette Kline @ \$12.68/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring the following part-time employee, effective August 13- 20, 2012 (Brown County Fair): Jeanette Hassebrook @ \$9.30/hr. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjust full-time salary of \$13.36/hr to \$13.17/hr for 4-H Secretary Tina McLeod, effective August 26, 2012. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Jessica Rychlik as full-time Secretary for States Attorney, effective September 17, 2012 at \$12.62 per hour. All members present voting aye. Motion carried.

POOR RELIEF:

Commissioner Wiese offered the following Resolution:

RESOLUTION #60-12

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$1,347.75, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon payment of \$750.00 cash and on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual.

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

Lot 1, Block 12 Original Plat to the City of Columbia, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$750.00 cash and on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual.

Dated this 28th day of August 2012

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

ORDINANCE 078:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing to be held at 8:50 a.m. on September 25, 2012 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance #078, An Ordinance to rezone the following property from Chapter 4.16 Heavy Industrial District (H-I) to Chapter 4.06 Agricultural Preservation District (AG-P): SW ¼ of Sec 23-

T123N-R65W of the 5th P.M., except railroad right of way and except Lot H-1, Brown County, SD, subject to easements, reservations and restrictions of record, if any (13380 378th Ave). All members present voting aye. Motion carried.

PLATS:

Commissioner Elliott offered the following Resolution:

Resolution #61-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mark Sumption Outlot 1 in W ½ SE ¼ Sec 22-T127N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #62-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Taylor Sumption Outlot 1 in S ½ Sec 3-T127N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #63-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Eric Sumption Outlot 1 in SE ¼ Sec 23-T127N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #64-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Laverne Swanson Addition in the SE ¼ of Sec 34-T127N-R60W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #65-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "M and T Addition in the W ½ of the SW ¼ of Sec 33-T122N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #66-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mitzel Subdivision in the SE ¼ of Sec 24-T124N-R65W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #67-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Dixon Outlots 3-6 in the NE ¼ of Sec 26-T123N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #68-12

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Mohr's Third Subdivision in the SW ¼ of the SW ¼ of Sec 36-T124N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

ORDINANCE 077:

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance #077, an Ordinance to Amend Title 11 Enhanced 911 Emergency Telephone Reporting System of the Second Revision Brown County Ordinances, as amended. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Sutton-aye, Elliott-aye and Wiese-aye. Ordinance adopted.

E911 SURCHARGE:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #69-12

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

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

BE IT RESOLVED that the Brown County Commission establishes a rate of \$1.25 for each local exchange access line or any other unit of measurement as authorized by South Dakota Codified Law, effective January 1, 2013.

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

CDBG-ENVIRONMENTAL REVIEW- NEWTEC:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign Initial Requirements Document; Environmental Review Record August 2012 for the Community Development Block Grant for the Workforce Training Program (NewTec). All members present voting aye. Motion carried.

GROTON AREA FIRE DISTRICT BOUNDARY CHANGE HEARING:

Moved by Wiese, seconded by Fischbach to set date for joint meeting of the Brown County Commission and the Day County Commission to provide property owners the opportunity to be heard regarding the proposed annexation of Bath Township into the Groton Area Fire Protection and Rescue District, to be held at the Groton Community Center on September 25, 2012 at 2:00 p.m. All members present voting aye. Motion carried.

NOTICE OF AWARD- HALL CROSSING:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Notice of Award document for the Repair of 124th Street at Hall Crossing of Elm River Project. All members present voting aye. Motion carried.

RESCIND MOTION - SURPLUS-1st AVE SE PROPERTY:

Moved by Wiese, seconded by Elliott to rescind the following motion from the General Meeting of August 14, 2012: "Moved by Wiese, seconded by Fischbach to declare the following property surplus for sale at 1st Ave SE: Vacant parcel of land (approximately 25' x 140') within Lot 1 Brown County Commissioner's Subdivision to the City of Aberdeen (plat #1201) lying directly North and adjacent to vacated alley lying North and adjacent to the West 17 feet of Lots 13 and all of Lots 14, 15, 16, 17 and 18 except the West 10 feet of Lot 18, Block 62, Northwestern Addition to Aberdeen (plat #6) of the 5th P.M., Brown County, SD." All members present voting aye. Motion carried.

HLS PROPERTY TRANSFERS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign equipment transfer document accepting ownership of any projects funded under the 2010 grant, administered by Beadle County. Subsequent transfer documents have been completed between Brown County and sub-recipient entities. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel and contracts with Kim Dorsett and Gary Vetter in attendance. All members present voting aye. Motion carried.

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

LANDFILL DUMPSTER SITES:

Mike Scott, Landfill Manager, Tom Schmidt, Paul Sivertsen, Mark Milbrandt and Kim Dorsett discussed the surveillance cameras installed at Fairgrounds and South 5th Street dumpster locations and the plan of action to be taken when illegal dumping is recorded.

DRAINAGE TASK FORCE:

Senator Jim Hundstad came before the Commission to discuss drainage issues and to ask the Commission for a detailed list of concerns to take to future State Drainage Task Force Board Meetings.

SCHNEIDER/ BEACON WEBSITE:

Mary Worlie introduced Ryan Smith, representing the Schneider Corporation, who explained the company's new products.

RECESS:

The Chairman declared the Commission recessed until September 4, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

SEPTEMBER 4, 2012 - JOINT ABERDEEN CITY/BROWN 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, Bunsness, Campbell, Mitchell, Swanson and Mayor Levsen. Present from County were Commissioners Hansen, Elliott, Fischbach, Wiese and Sutton.

ORDINANCE #12-07-01/407:

On motion by Campbell and seconded by Bunsness, the City unanimously voted to adopt Ordinance #12-07-01/407.

Moved by Fischbach, seconded by Elliott to adopt Ordinance #12-07-01/407, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Industrial District to Section 714 (M-AG) Mini-Agricultural District: Wahlen's First Subdivision in the NE ¼ of Sec 8-T123N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Elliott-aye, Fischbach-aye, Sutton-aye, Hansen-aye, Wiese-absent. Ordinance adopted.

ORDINANCE #12-08-01/408:

On motion by Bunsness and seconded by Campbell, the City unanimously voted to adopt Ordinance #12-08-01/408.

Moved by Hansen, seconded by Elliott to adopt Ordinance #12-08-01/408, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Proposed Lots 1 and 2, Mohr's Third Subdivision in the SW ¼, SW ¼, of Sec 36-T124N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Elliott-aye, Fischbach-aye, Sutton-aye, Hansen-aye, Wiese-absent. Ordinance adopted.

SET HEARING DATE:

On motion by Swanson, seconded by Agnitsch, the City unanimously voted to set hearing date for Ordinance No. 12-09-01/409 (Weismantel Rezone).

Moved by Elliott, seconded by Fischbach to set public hearing for Ordinance No. 12-09-01/409, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Proposed Bitz Outlot 1 in the NW ¼ of Sec 19-T123N-R62W of the 5th P.M., Brown County, SD; to be held on September 25, 2012 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. All members present voting aye. Motion carried.

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

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

SEPTEMBER 4, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 28, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A & B Business \$269.98; Aberdeen Plumbing/Heating \$287.15; Aberdeen Rural FireFighters \$125.00; American Health & Safety \$235.81; Bonnie Bitz \$120.00; Brick's Roto Rooter \$60.00; Butler Machinery \$95.05; CNA Surety \$50.00; Randy Crawford \$6.54; Dakota Electronics \$32.00; Dakota Mailing & Shipping \$229.67; Dakota Supply Group \$734.16; Flint Hills Resources \$306,927.03; Hanlon Brothers \$6401.45; Horn Plastics \$2505.00; Howe's Oil \$27113.00; Hub City Woodworking \$935.00; Lang's TV & Appliance \$120.00; Lew's Fireworks \$4000.00; Lien Transportation \$3330.76; Louie's Service \$57.66; Mac's \$185.74; Marco \$301.00; Menards \$7.67; Midstates Printing \$1429.48; Diane Mielke \$14.27; North Central Farmer's Elevator \$6776.23; Photo-X-Press \$41.78; Rieck Eske \$36.93; Runnings Farm & Fleet \$35.91; Share Corp. \$84.00; Sherwin Williams \$142.66; Swanson Electric \$94.97; Titan \$140.84; TrueNorth Steel \$34,276.50; West Payment Center \$255.00; Western Printing \$431.20.

Repairs & Maintenance: A-1 Sanitation \$193.00; Active Data Systems \$538.42; Butler Machinery \$2078.53; Climate Control \$6250.00; Dakota Supply Group \$67.52; Farm Power Mfg. \$14.86; Grabar Voice & Data \$1327.00; Hanlon Brothers \$2003.71; HF Jacobs & Son Construction \$389.49; Horn Plastics \$370.00; PowerPlan \$1998.55; Sewer Duck \$69.00; Swanston Equip. Corp. \$7000.00; Titan \$330.20; Western States Fire Co. \$210.00; WSI Internet Marketing \$300.00.

Publishing: Aberdeen American News \$526.70.

Travel & Conference: Executive Mgmt. Finance Office \$1101.24.

Rentals: Weismantel Rent All \$250.00.

Professional Fees: Brown County Treasurer \$5.00; Compass Counseling & Assessment \$1250.00; Dakota County Sheriff \$32.12; Tammy Erickson \$96.00; Michael Moore \$82.00; Alex Reyes \$214.18; Pat & Tamara Dutter (Refund) \$1458.00; Thomas Sannes \$1891.50; SD Dept. of Legislative Audit \$28,304.60; SD Dept. of Revenue & Regulation \$1608.00; SD Dept. of Transportation \$48,489.05; SD Public Assurance Alliance \$900.00; Sheriff of Woodbury County \$12.20; St. Louis County, MN – Sherrieff \$46.00; VRBR Productions \$999.38; Yankton County Sheriff Office \$100.00.

Utilities: AT & T Mobility \$2369.10; CenturyLink \$44.89; Montana Dakota Utilities Co. \$14.07; NWPS \$12,109.20; Web Water \$75.69.

Machinery & Equipment: A & B Business \$774.61.

Fair Judges: Ashley Huettl \$30.00; Barb Michlitsch \$30.00; Carol Curtis \$40.00; Carol Green \$30.00; Cindy Schnable \$30.00; DaRae Jones \$50.00; Diane Kurtz \$30.00; Dianne Steinheuser \$50.00; Duane Jark \$30.00; Florence Kraus \$30.00; Janelle Klapperich \$30.00; JoLynn Zeller \$30.00; Joy Braun \$40.00; Judy Gulleson \$50.00; Karin Bartell \$45.00; Kathy Novstrup \$30.00; Kristie Eckrich \$30.00; Marj Zastrow \$30.00; Ramona Hurin \$30.00; Reed Dornbush \$30.00; Renita Kainz \$30.00; Rick Dias \$30.00; Ruth Casanova \$30.00; Susan Gerlach \$30.00; Theresa Fjeldheim \$30.00; Tracy Dice \$30.00; Tricia Dornbush \$30.00.

Care of Poor: Rent: 1 recipient – Falcon Rentals \$200.00. Transportation: 2 recipients – Jefferson Lines \$180.00. Medications: 1 recipients – Kmart Pharmacy \$6.87. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to acknowledge termination of Tim Miller (IT Department), effective August 31, 2012. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge resignation of Dustin Peiker (Sheriff Department), effective September 1, 2012. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Casey Smith as full-time Deputy Sheriff (Sheriff Department), effective September 17, 2012 at \$16.72 per hour. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

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

POOR RELIEF LIEN:

Commissioner Hansen offered the following Resolution:

RESOLUTION #70-12

WHEREAS, Brown County has filed a Relief Lien against an individual in amount of \$1,057.55, dated Jan 27, 1971 – Mar 17, 1975; and

WHEREAS, this individual passed away on January 30, 1975; and

WHEREAS, another individual has the same first and last name as the poor relief recipient, but does not have the same middle name and passed away December 3, 1998.

NOW, THEREFORE BE IT RESOLVED that the Poor Relief Lien in amount of \$1,057.55 is against the individual who passed away on January 30, 1975, and not the individual with the same first and last name who passed away on December 3, 1998.

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

LEASE AGREEMENTS:

Moved by Elliott, seconded by Hansen to approve the following agreements: A-Town Girlz Roller Derby Team for lease of the Club House every Wednesday from October – December, 2012 and January – March, 2013, Expo Building every Wednesday from April – June, 2013; Lease of Expo Building for Roller Derby Event on September 22, 2012. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following Special Malt Beverage License Application: A-Town Roller Girlz – Brown County Fairgrounds (Holum Expo Building) SW ¼-Sec 1-T123N-R64W, effective September 22, 2012. All members present voting aye. Motion carried.

2013 PROVISIONAL BUDGET HEARING:

Time and place, as advertised for public hearing on the 2013 Provisional Budget. Gerald Krueger appeared before the Commission to discuss Brown County Roads and maintenance. No action will be taken on the Provisional Budget until September 25, 2012.

STP FUNDING SWAP AGREEMENT AMENDMENT:

Moved by Hansen, seconded by Wiese to authorize the Chairman sign an amended Funding Swap Agreement with the SD DOT (original in minutes of May 17, 2011) to allow the use of \$2.45 million in federal transportation money to rebuild three miles of County Road 16 (Project P 6251(00) PCN 6718 Brown County Construction from 1 N and 1 W of Stratford, N for 3 miles). All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign application: James Valley Telecommunications for occupancy of Brown County Road 10 Sec 1-T121N-R64W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign application: James Valley Telecommunications for occupancy of Brown County Road 23 Sec 2-T121N-R64W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Hansen to approve and authorize the Chairman to sign application: James Valley Telecommunications for occupancy of Brown County Road 16C Sec 4/5/8-T121N-R62W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until September 11, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

SEPTEMBER 11, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott and Wiese. Commissioner Fischbach was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Wiese, seconded by Hansen to approve the Joint City/County Meeting minutes and the General Meeting minutes of September 4, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$7,706.88; Treasurer \$11,435.69; Data Processing \$7,862.36; State's Attorney \$12,340.83; Blood Draws \$440.00; SVAWA Grant \$1,269.24; Maintenance \$6,119.81; Assessor \$11,668.03; Register of Deeds \$7,089.20; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Adm \$31,072.96; Jail \$31,398.21; Coroner \$1,050; JDC \$13,730.23; HD \$4,327.56; Welfare Office \$3,046.62; Museum \$6,052.52; Parks & Fairgrounds \$6,665.80; Fair \$2,681.39; 4-H \$1,102.99; Weed \$3,228.99; Planning and Zoning \$2,049.17; Highway \$43,050.77; Communications \$19,147.38; Emergency Management \$2,949.42; Teen Court \$303.80; 24/7 Sobriety \$2,020.95; Landfill \$11,373.78; Matching Benefits: FICA \$15,268.25, Medicare \$3,570.75;

Supplies: A & B Business \$1014.72; Ameripride \$300.34; Artz Equipment \$1141.92; Bakken Build Maintenance \$500.00; Brown County Treasurer \$2150.64; Butler Machinery \$3980.00; Cash-Wa Distributing \$5624.97; Crawford Trucks & Equipment \$2258.91; Custom Glass & Repair \$40.00; Dakota Electronics \$645.00; Dakota Oil \$1719.98; Dakota Pump & Control \$1010.21; Dakota Supply Group \$1062.53; DataSpec \$399.00; Detco \$1061.50; Digital Alley \$100.00; DSS Image Apparel \$63.90; Ecolab Pest Elimination \$87.98; Economy Propane \$401.31; Fastnel Co. \$199.47; Flint Hills Resources \$55,643.69; Full Circle Ag \$1295.74; Graham Tire \$12.46; Harry Implement \$83.11; Heartland Paper \$50.34; Hecla Implement \$26.30; Hub City Radio \$300.00; Interior Design Concepts \$237.81; Interstate Battery System \$108.95; J. Gross Equipment \$678.31; Kessler's \$1371.34; Marco \$95.43; Matthew Bender & Co. \$132.94; Menards \$62.65; Midstates Printing \$369.10; North Central Farmer's Elevator \$8603.42; Photo-x-Press \$1707.80; Pizza Ranch \$65.04; PowerPlan \$2957.54; Sherri Rawstern \$47.14; Rinse & Go Car Wash \$100.00; Runnings Fleet & Farm \$922.19; Safety Service \$687.72; Sander's Sew-n-Vac \$100.27; Sandy Osterman \$20.10; Sivertsen Technology \$298.11; Spot Freight \$1585.00; Taylor Laundry \$141.50; Town & Country Building Supply \$38.18; Tri State Water \$30.40; Van Diest Supply Co. \$5751.60; Veteran's Information Service \$50.00; Volk Upholstery \$28.00; Western Printing \$1167.80; Woodman Refrigeration \$168.67; Zastrow's Sales & Service \$250.75.

Repairs & Maintenance: B & B Contracting \$3137.76; Crawford Trucks & Equipment \$309.29; Dakota Supply Group \$33.85; Frey's Electronics \$352.27; Heartland Heating & Cooling \$107.25; Hoven Auto Repair \$832.02; LTK Heating & Cooling \$1997.45; Pierson Ford \$348.42; PowerPlan \$220.49; Pro Ag Supply \$5.63; Safety Service \$703.22; Sheehan Mack Sales \$2934.22; Sivertsen Technology \$2027.96; Steven Lust Automotive \$4321.41.

Publishing: Aberdeen American News \$2478.88; Groton Independent \$575.69.

Travel & Conference: Tom Gohn \$242.51; Gene Loeschke \$225.13; Kathy Schlecht \$254.51; Gary Vetter \$50.29.

Utilities: Aberdeen City Treasurer \$1358.39; BDM Rural Water Systems \$30.00; CenturyLink \$1379.42; Economy Propane \$216.45; Executive Mgmt. Finance Office \$320.84; James Valley Cooperative \$126.84; Midcontinent Communications \$55.00; Northern Electric \$856.04; Northern Valley Communications \$1116.16; Northern Wireless Communications \$149.90; NorthWestern Energy \$12,139.81; Schneider Corporation \$2265.00; Town of Frederick \$32.25.

Professional Fees: Adamsoft \$2500.00; Avera St. Luke's \$617.87; Clark Engineering \$765.28; CMW Cleaning Services \$744.57; Dietrich's \$286.14; Hagan Insurance Group \$300.00; Kuck Law Office

\$120.57; Lexis/Nexis Risk Data Mgmt. \$80.00; NADA Appraisal Guides \$286.00; Ramada \$4633.25; SD Association of Fairs \$85.00; SD Department of Revenue & Regulation \$517,536.45; Sivertsen Technology \$5800.00.

Fair Judges: Brian Zimprich \$190.00.

Machinery & Equipment: Butler Machinery \$63,133.00.

Rentals: Dakota Electronics \$1298.00; Frey's Electronics \$240.38.

Care of Poor: Rent: 5 recipients – Brenner Builders \$300.00; Danne Inc. \$150.00; Harley G. Schaible, Jr. \$245.00; Lee Imberi \$320.00; Silvia & Carson Murdy \$170.00. Utilities: 3 recipients – NorthWestern Public Service \$469.95. Medications: 2 recipients – United Clinic Pharmacy \$176.97. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective September 16, 2012: ~~Jennifer Stoddard @ \$15.73 per hour~~, Sara Hagman @ \$13.53 per hour, Nicholas Juenger @ \$13.72 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Jamie Milbrandt and Nicole Leslie, effective September 11, 2011 for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Taylor Oster as Deputy Coroner, effective September 5, 2012. All members present voting aye. Motion carried.

TEEN COURT JABG APPLICATION:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign application for Department of Corrections – Juvenile Accountability Block Grant in amount of \$11,640.00 (90% DOC, 10% County), effective October 1, 2012 – September 30, 2013. All members present voting aye. Motion carried.

DISCRETIONARY FORMULA:

Moved by Wiese, seconded by Hansen to approve Discretionary Formula, as requested by Basin Electric Power Cooperative and NorthWestern Corporation, as companies are centrally assessed by the SD Department of Revenue. All members present voting aye. Motion carried.

HIGHWAY SAFETY GRANT AWARD AGREEMENT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign FY 2013 Highway Safety Project Agreement Office of Highway Safety in amount of \$26,000.00, effective October 1, 2012 through September 30, 2013. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel 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.

RIGHT-OF-WAY EASEMENT:

Moved by Elliott, seconded by Wiese to approve and authorize the Chairman to sign documentation granting Web Water Development Association, Inc a perpetual right-of-way Easement with the right to install and maintain cathodic protection for a rural water system on the fence line 350 feet in length and 30 feet in width in the NW ¼ of Sec 13-T123N-R65W of the 5th P.M., Brown County. SD. Roll call vote: Commissioners Hansen-abstain, Elliott-aye, Fischbach-absent, Wiese-aye, Sutton-aye. Motion carried.

ROAD DISCUSSION:

Bud Dennert discussed the condition of Brown County 9 west of Westport.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel. All members present voting aye. Motion carried.

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

Moved by Hansen, seconded by Wiese to continue executive session to discuss additional personnel. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until September 25, 2012.

Maxine Fischer, Brown County Auditor

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SEPTEMBER 25, 2012 - JOINT ABERDEEN CITY/BROWN 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 Bunsness, Campbell, Mitchell, Rux, Swanson. Present from County were Commissioners Hansen, Elliott, Fischbach, Wiese and Sutton.

ORDINANCE #12-09-01/409:

On motion by Rux, seconded by Swanson, the City unanimously voted to approve First Reading Ordinance No. 12-09-01/409 (Weismantel Rezone).

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 12-09-01/409, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Proposed Bitz Outlot 1 in the NW ¼ of Sec 19-T123N-R62W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

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

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

SEPTEMBER 25, 2012 - 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 Mark Wattier, Marvin Bury, Gary Block, Linda Walters and Chairman Richard Tobin. Present from Brown County were Commissioners Nancy Hansen, Tom Fischbach and Vice Chairman Burt Elliott.

At which time and place, as advertised, a public hearing was held to give any person owning taxable property or residing within the boundaries of the Groton Area Fire Protection and Rescue District or Bath Township the opportunity to be heard regarding the proposed annexation of Bath Township into the Groton Area Fire Protection and Rescue District.

Brown County Commission Vice Chairman Burt Elliott called for testimony in favor of the proposed annexation of Bath Township into the Groton Area Fire Protection and Rescue District followed by testimony by those in opposition. After discussion the following action ensued:

On motion by Fischbach and seconded by Hansen, the Brown County Commission unanimously voted to approve the annexation of Bath Township into the Groton Area Fire Protection and Rescue District.

On motion by Walters and seconded by Bury, the Day County Commission unanimously voted to approve the annexation of Bath Township into the Groton Area Fire Protection and Rescue District.

RESOLUTION #74-12
ORDER APPROVING ANNEXATION OF BATH TOWNSHIP INTO THE
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 Annexation of Bath Fire Department into Groton Area Fire Protection and Rescue District, having been given by the county auditor of Day County, South Dakota, under date of the 10th and 17th day of September, 2012, and notice having been given by the county auditor of Brown County, South Dakota under date of the 12th and 19th day of September, 2012, 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 on the 25th day of September, 2012 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 existing district and/or within the proposed district having had an opportunity to be heard respecting the annexation of Bath Township into the Groton Area Fire Protection and Rescue District, and

WHEREAS, the Board of County Commissioners of Day County and Brown County, South Dakota, having determined that the proposed annexation of Bath Fire Department into 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 annexation of the property contained in the petition into 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

September 25, 2012 Joint Day County/Brown County Meeting

incorporated herein by this reference, follows that policy, and having otherwise been 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 annexation of Bath Fire Department into 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 hereby determined and established and annexed as including all of the following real property:

In Farmington Township: Sections 6, 7, 17, 18, 19, 30, 31 and 32, inclusive and the N $\frac{1}{2}$ of Sec 20, the SW $\frac{1}{4}$ of Sec 20, the S $\frac{1}{2}$ of Sec 29 and the NW $\frac{1}{4}$ 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

In Bath Township: Sections 3 through 10, inclusive; and Sections 15 through 22, inclusive; and Sections 27 through 34, inclusive; all located in Township One Hundred Twenty Three North (123N), Range Sixty Two (62) West of the of the 5th P.M., Brown County, South Dakota and

Sections 1 through 3, inclusive; Sections 10 through 15, inclusive; Sections 22 through 27, inclusive; and Sections 34 through 36, inclusive; all located in Township One Hundred Twenty Three North (123N), Range Sixty Three (63) West of the of the 5th P.M., Brown County, South Dakota

and that the boundaries of the said Groton Area Fire Protection and Rescue District be, and the same is hereby revised such that Bath Fire Department and Bath Township is annexed into Groton Area Fire Protection and Rescue District pursuant to SDCL 34-31A-36, et. seq.

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 25th day of September, 2012 at Groton, Brown County, South Dakota.

On motion by Fischbach and seconded by Hansen, the Brown County Commission unanimously voted to approve the Order Approving Annexation of Bath Fire Department and Bath Township into Groton Area Fire Protection and Rescue District.

On motion by Walters and seconded by Bury, the Day County Commission unanimously voted to approve the Order Approving Annexation of Bath Township into Groton Area Fire Protection and Rescue District.

ADJOURNMENT:

On motion by Fischbach and seconded by Hansen, the Brown County Commission unanimously voted to adjourn.

Chairman Tobin declared the Day County Commission adjourned.

Maxine Fischer – Brown County Auditor

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SEPTEMBER 25, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of September 11, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$8,240.48; Treasurer \$11,435.69; Data Processing \$2,067.53; State's Attorney \$12,839.34; SVAWA Grant \$1,269.24; Blood Draws \$560.00; Maintenance \$6,094.39; Assessor \$11,668.03; Register of Deeds \$7,122.23; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Admin \$29,806.61; Jail \$35,201.10; Coroner \$0; JDC \$14,469.30; HD \$4,657.02; Welfare Office \$2,507.08; Museum \$6,128.40; Parks & Fairgrounds \$4,683.84; Fair Board \$2,541.95; 4-H \$1,053.60; Weed \$3,694.81; Planning and Zoning \$2,063.07; Highway \$44,534.39; Communications \$20,859.57; Emergency Management \$2,949.42; Teen Court \$317.93; 24/7 \$2,101.80; Landfill \$11,804.84; Matching Benefits: FICA \$15,240.28; Medicare \$3,564.28; Life \$564.84; Dental \$5,627.16; Health Insurance \$86,894.12; Retirement \$30,642.34

Supplies: 446-Praxair Distribution \$168.81; A & B Business \$357.01; AASLH \$115.00; Alligare \$520.75; Best Business Products \$176.80; Britton Ready Mix \$424.00; Brown County Treasurer \$15.00; CarQuest Auto Parts \$1202.30; Cartney Bearing \$31.00; Dakota Electronics \$8.75; Dependable Sanitation \$286.00; Diesel Machinery \$180.44; DT Pharmacy \$1063.29; Earthgrains \$1048.17; Farm Power Mfg. \$133.56; Gardner Locksmithing \$186.46; GCR Tire Center \$6123.34; Geffdog Designers \$644.18; Glas Consulting \$337.50; GovConnection Inc. \$499.48; Greg or Jen Schaunaman \$96.00; Heartland Paper \$4616.33; Lynn Heupel \$10.00; Holloway Construction Co. Inc. \$44,394.48; House of Glass \$250.65; Howe's Oil Co. \$25,482.00; Ingstad Family Media \$800.00; Jake Bosmoe \$150.00; Ken's SuperFair Foods \$2559.14; Lawson Products \$160.01; Lewis Drug Store \$112.73; Lexington Corporation \$95.00; Lien Transportation \$90,204.54; Louie's Service \$491.89; Mac's \$97.08; Marco \$923.80; Matthew Bender & Co. \$132.94; Midstates Printing \$69.00; Midwest Pump & Tank \$3.78; Mark Milbrandt \$5.35; Millstone Restaurant \$252.50; Newman Signs \$327.06; North Central Farmer's Elevator \$418.85; North Star Energy \$37.10; Performance Oil & Lubricants \$782.50; Photo-X-Press \$88.81; Pro Ag Supply \$889.45; ProBuild \$132.55; Sherri Rawstern \$22.25; Safety Service \$30,115.94; SD Bureau of Administration – State Flags \$148.08; Christy Serr \$134.68; Share Corp. \$169.00; Sheehan Mack Sales \$1372.90; SD Magazine \$285.00; South Dakotans for the Arts \$175.00; Specialty Mfg. \$5684.12; Ultramax \$1130.00; US Bank \$7322.19; Van Diest Supply Co. \$137.90; Wallwork Truck Center \$256.00; Wally's Skid Steer Service \$1300.00; West Payment Center \$1481.79;

Repairs & Maintenance: Ameripride Services \$273.58; Dakota Electronics \$113.75; Diesel Machinery \$41.00; Double D Body Shop \$766.60; Frey's Electronics \$352.27; GCR Tire Center \$206.50; Jim Kersten Painting \$4462.50; Lawson Products \$13.50; Midwest Pump & Tank \$389.53; Motorola Solutions \$1153.19; Priority Dispatch \$4629.00; Service Signs & Sales \$1200.00; Sheehan Mack Sales \$636.50; US Bank \$1022.82; Wallwork Truck Center \$9.00; Western States Fire Co. \$1128.75;

Publishing: Aberdeen American News \$1270.15; Dakota Press \$2779.63;

Travel & Conference: Stan Beckler \$19.74; Darwin Bettmann \$9.40; City of Groton \$70.30; Sheila Enderson \$199.48; Erin McClain \$83.00; Kathy Fischer \$156.98; Patrick Keatts \$11.28; Dale Kurth \$107.16; Barry Kusler \$395.55; John McQuillen \$83.00; Russell Metz \$499.17; Sandy Mielke \$311.14; Mark Milbrandt \$852.65; David North \$107.16; James Petrich \$83.00; Ramada \$198.00; SD LTAP \$70.00; Jerome Streckfuss \$24.44; US Bank \$2094.34; Jan Weismantel \$33.00; Mary Worlie \$282.28.

Utilities: Aberdeen City Treasurer \$3929.29; CenturyLink \$2494.94; Claremont Town \$123.00; Dependable Sanitation \$26263.48; City of Hecla \$99.61; Midcontinent Communications \$485.44; Midwest Alarm \$51.50; Northern Electric \$86.00; NVC \$295.00; NW Energy \$3133.38; Verizon Wireless \$65.88;

Professional Fees: AMG Group Radiology \$30.77; Archer Lubricants \$250.00; Avera St. Luke's \$4323.31; Christopher Dohrer \$5770.83; Kuck Law Office \$5520.83; Language Line Services \$721.58; NE Mental Health Center \$1404.00; Rocky Mountain Fairs Assoc. \$300.00; Gina Rogers \$5520.83; Romeo Entertainment \$690.61; Ron Parker \$300.00; Sanford Clinic \$146.69; Sanford Laboratories \$18.94; Christy Serr \$5770.83; SD Secretary of State \$30.00; Sivertsen Technology \$10,025.00; Kristi Spitzer \$1125.00; Super Hero Kids \$250.00; University of ND \$2000.00; Sara Zahn \$70.80.

Insurance: Hagan Insurance Group \$443.00.

Rentals: Frey's Electronics \$334.28.

Machinery & Equipment: SD Federal Property Agency \$8750.00.

Other: James River Water District \$2286.91; Joan Spellman \$63.13; New Life Fellowship Church \$100.00; Pizza Ranch \$152.91; Safety Service \$1450.00; SD Association of County Officials \$1372.00.

Care of Poor: Rent: 6 recipients – Aberdeen Housing Authority \$312.00; Danne Inc. \$260.00; Stephanie Meyers \$280.00; Nick Rayman \$260.00; Brian Shishnia \$260.00; Wolfson Apartments \$260.00.

Utilities: 2 recipients – NW Public Service \$404.09. Medications: 3 recipients – Kessler's Pharmacy \$89.98; Walmart Pharmacy \$30.93. Dr./Hospital: 3 recipient – Dakota Plains Surgical Center \$402.11; Dental Center \$88.31; Orthopedic Surgery Specialist \$283.47. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to acknowledge resignation of Jonathan Waldner (Correctional Officer), effective September 14, 2012; Dan Burzlaff (Correctional Officer), effective September 21, 2012; Jennifer White (Correctional Officer), effective September 26, 2012. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Kurt Pigors as full-time Labor Grade #3 Driver/Laborer (Highway Department), effective October 15, 2012 at \$13.24/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to authorize advertising a temporary part-time position at the Welfare Office. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to authorize advertising a full-time position, Labor Grade #3 Driver/Laborer, at the highway department. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel. All members present voting aye. Motion carried.

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

BROWN COUNTY LANDFILL AWARD:

The Commission congratulated Brown County Landfill Manager Mike Scott and the Landfill Employees for receiving he "Local Champion Award", presented by their peers at the 2012 Solid Waste Conference held recently in Pierre.

VETERANS SERVICE OFFICER AWARD:

The Commission congratulated Veterans Service Officer Tom Gohn for being named the 2012 County/Tribal Veterans Officer of the Year by the SD Department of Veterans Affairs at the annual conference held recently in Pierre.

HOLIDAY CLOSING:

Moved by Wiese, seconded by Elliott to close Friday, November 23th and Monday December, 24th with the following policy: each employee will be compensated for eight hours regular pay for the day, if an employee is required to work a full shift on November 23rd and December 24th eight hours will be added to their vacation record – under no circumstances will premium pay be paid for these hours. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following agreements: Celtic Faire for lease of the Holum Expo Building and Expo Addition on September 15-16, 2012; Aberdeen Area Humane Society for lease of Club House on September 29, 2012. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE:

Moved by Elliott, seconded by Wiese to approve and authorize the Chairman sign the following Special Malt Beverage License Application: Aberdeen Hockey Association, Inc. – Brown County Fairgrounds (secure (roped) area north of the Odde Building entrance) SW ¼ Sec 1-T123N-R64W, effective September 29, 2012. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the August 2012 Auditor's Report of Account with the County Treasurer in total amount of \$12,416,682.76 (total amount of actual cash @ \$1,715.57, Wells Fargo Bank @ \$3,621.29, US Bank @ \$28,225.92, Dacotah Bank @ \$288,682.27, Petty Cash @ \$2,000.00, Fund Investments @ \$12,090,353.28, Outstanding checks \$2,084.43). All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Wiese to approve the following August 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SURPLUS PROPERTY/EQUIPMENT PURCHASE:

Moved by Fischbach, seconded by Wiese to declare Decal #450 (6' x 10' Utility Trailer), from the Weed Department surplus property for purpose of trade; and further approve the purchase of a 6'x12' Utility Trailer from J Gross Equipment in amount of \$2,215.00 (less trade of \$700); rejecting quote submitted by Specialty Trailer Sales in amount of \$2,675.00. All members present voting aye. Motion carried.

ORDINANCE 078:

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance #078, An Ordinance to rezone the following property from Chapter 4.16 Heavy Industrial District (H-I) to Chapter 4.06 Agricultural Preservation District (AG-P): SW ¼ of Sec 23-T123N-R65W of the 5th P.M., except railroad right of way and except Lot H-1, Brown County, SD, subject to easements, reservations and restrictions of record, if any (13380 378th Ave). All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Hansen, seconded by Wiese to approve Highway Department accepting quote from Cunningham Electric at \$4,396.67 for flashing stop lights at County Highway 12 and County Highway 6

intersection and rejecting quote from Ringgenberg Electric, Inc. for \$10,956.00. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Hansen, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$7000.00 down and \$250.00 per month, effective October 30, 2012 on the E 30' LT 10 & W 45' LT 11 BK 2 Parkview. All members present voting aye. Motion carried.

UNCOLLECTIBLE TAX:

Moved by Hansen, seconded by Wiese to declare the real estate taxes as uncollectible on Parcel #4865 BOLS LT 2 BK 2 Northwood 1st SD NE 6-123-63 1998 Friendship 28x80 MY9818871ABV (MH), as submitted by Sheila Enderson, Brown County Treasurer. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel. All members present voting aye. Motion carried.

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

2013 PROVISIONAL BUDGET AMENDMENTS:

Moved by Wiese, seconded by Hansen to amend the 2013 Provisional Budget by adding \$75,000.00 to Fund 101-111 (Commission) to cover salary, benefits, office equipment and supplies for new Commission Assistant position. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-nay, Wiese-aye, Sutton-aye. Motion carried.

Moved by Wiese, seconded by Elliott to amend the 2013 Provisional Budget line items, as follows: Brown County Board of Commissioners from 213,065.64 to 288,065.64; Total Appropriations from 14,871,524.74 to 14,946,524.74; Cash balance applied from 1,042,168.57 to 1,266,777.94; Current Property Tax Levy from 12,055,482.00 to 11,909,820.00; Total Means of Finance from 14,871,524.74 to 14,946,524.74; all other line items remaining as stated in the Provisional Budget. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-nay, Wiese-aye, Sutton-aye. Motion carried.

2013 ANNUAL BUDGET:

Commissioner Wiese offered the following Resolution:

ANNUAL BUDGET FOR BROWN COUNTY, SD
For the Year January 1, 2013 to December 31, 2013

RESOLUTION #71-12

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, 2013 and ending December 31, 2013 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 25th day of September, 2012. 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, 2013 through December 31, 2013.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$11,909,820	4.548
TOTAL TAXES LEVIED BY COUNTY	\$11,909,820	4.548

*These amounts include the 25% to be distributed to cities.

Seconded by Commissioner Elliott. Roll call vote: Hansen-aye, Elliott-aye, Fischbach-nay, Wiese-aye, Sutton-aye. Resolution adopted.

VACATE PLAT – SET HEARING:

Moved by Wiese, seconded by Elliott to set hearing date to consider petition submitted by Mark and June Thompson to vacate the following: That platted portion of the SE ¼ of Sec 9-T124N-R61W of the 5th P.M. lying south and east of the Great Northern Railroad Company right of way, which includes all of Blocks 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 inclusive, including all streets, avenues and alleys, Original Plat to the town of Putney, Brown County, SD, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on October 16, 2012. All members present voting aye. Motion carried.

PLATS:

Commissioner Elliott offered the following Resolution:

Resolution #72-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Robert and Margaret Oliver Conservation Easement Tract 1 in the SE ¼ of Sec. 29-T123N-R60W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Elliott offered the following Resolution:

Resolution #73-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Bitz Outlot 1 in the NW ¼ of Sec. 19-T123N-R62W of 5th P.M., Brown County, South Dakota", having been

examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

ADJOURNMENT:

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

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

OCTOBER 2, 2012 - JOINT ABERDEEN CITY/BROWN 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, Campbell, Mitchell, Rux and Mayor Levsen. Council Members Bunsness, Remily, Slaight-Hansen and Swanson were absent. Present from County were Commissioners Hansen, Elliott, Fischbach and Sutton. Commissioner Wiese was absent.

ORDINANCE #12-09-01/409:

On motion by Campbell, seconded by Rux, the City unanimously voted to adopt Ordinance No. 12-09-01/409 (Weismantel Rezone).

Moved by Hansen, seconded by Elliott to adopt Ordinance No. 12-09-01/409, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Bitz Outlot 1 in the NW ¼ of Sec 19-T123N-R62W of the 5th P.M., Brown County, SD (39475 133rd Street). Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-absent, Sutton-aye. Ordinance adopted.

SET HEARING DATE:

On motion by Campbell, seconded by Agnitsch, the City unanimously voted to set hearing date for Ordinance No. 12-10-02/410 (DFP Rezone) and Ordinance No. 12-10-03/411 (Wilson Rezone).

Moved by Fischbach, seconded by Elliott to set public hearing for Ordinance No. 12-10-02/410, an Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District: The West 200' of the East 1400' of the North 670.16' in the NW ¼ of Sec 23-T123N-R63W, Brown County (Proposed DFP Outlot 1 in the NW ¼ of Sec 23-T123N-R63W of the 5th P.M., Brown County, SD (6200 Hwy 12E); Ordinance No. 12-10-03/411, an Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lots 24 and 25 of Evelos Outlot in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD (38671 Cadillac Drive); to be held on October 23, 2012 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

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

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

OCTOBER 2, 2012 – GENERAL MEETING

The Brown County Commission convened at 8:45 a.m., October 2, 2012 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott, Fischbach and Sutton. Commissioner Wiese was absent. Chairman Sutton led the Pledge of Allegiance.

YEARS OF SERVICE AWARDS:

The Commission presented Maxine Fischer a Certificate of Appreciation for Forty Years of Service to the County, Dorene Borchard for Thirty Years of Service and Carol Sherman for Twenty Five Years of Service with congratulations and thanks for their service to the County.

MINUTES:

Moved by Hansen, seconded by Elliott to approve the Joint Aberdeen City/County Meeting Minutes; the Joint Day County/Brown County Meeting Minutes and the General Meeting Minutes of September 25, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A & B Business \$146.45; Aberdeen Plumbing/Heating \$3085.04; American Health & Safety \$357.86; Brown County Highway Dept. \$55.20; Cartney Bearing \$16.16; Crawford Trucks & Equipment \$1765.95; Custom Glass & Repair \$325.00; Dakota Fluid Power \$2875.16; Dakota Supply Group \$478.13; Dex Media East \$201.93; Elections Systems/Software \$5389.38; Emergency Poor Fund \$50.00; Fastenal Co. \$2.50; Glacial Lakes & Prairie Tourism \$50.00; GovConnection Inc. \$384.16; Heartland Paper \$2948.66; Mike Hassebroek \$1373.76; Kustom Signals \$363.70; Lang's Audio TV & Appliance \$130.00; Lar-Jo's \$182.39; Marco \$93.27; MidStates Printing \$653.22; Nalco Co. \$585.12; North Central Farmer's Elevator \$4868.36; Northland Chemical Corp. \$106.60; Race West Awards \$75.00; Schwan Welding \$75.00; SD Continuing Legal Education \$500.00; SD Secretary of State \$60.00; Town & Country Building Supply \$431.25; West Payment Center \$309.60.

Repairs & Maintenance: Crawford Trucks & Equipment \$728.52; Dakota Fluid Power \$8.00; Casey Jensen \$131.21; Jim Kersten Painting \$2301.30; Leidholt Electric \$56.12; Lien Transportation \$15,611.50; Meyers Tractor Salvage \$125.00; Northland Chemical Corp. \$6.00; Safety Service \$78.75.

Transcriptions: Kristi Brandt \$30.40; Tammy Erickson \$180.04.

Publishing: Aberdeen American News \$54.56; Groton Independent \$377.21; Matthew Bender & Co. \$70.89.

Travel & Conference: Best Western Ramkota Hotel \$1059.90; Don Fischer \$5.00; Maxine Fischer \$321.50; Sara Hagman \$48.41; Nancy Hansen \$189.87; Nyle Jensen \$19.00; Scott Meints \$125.00; Mike Scott \$19.00; Carol Sherman \$231.64; Dennis VanHeerde \$19.00; Michael Wiese \$595.11; Patti Woods \$125.00; Mary Worlie \$178.28; Tom Fischbach \$581.90; Burt Elliott \$607.03; Duane Sutton \$399.25.

Utilities: AT&T Mobility \$2201.04; Montana Dakota Utilities \$13.88; Northern Electric Coop. \$200.00; Northern Valley Communication \$144.16; NorthWestern Energy \$9658.46.

Professional Fees: Aberdeen Advanced Care Ambulance \$207.97; Aberdeen Federal Credit Union \$788.00; Avera St. Luke's \$828.31; Compass Counseling & Assessment \$2500.00; Dacotah Bank \$129.70; Tammy Erickson \$288.00; GreenTree Psychological Service \$292.50; Leggette, Brashears & Graham \$3320.38; Lewis & Clark BHS \$149.00; Lucy Lewno \$72.75; Lincoln Co. Treasurer \$22.50; MedTox Laboratories \$166.52; NADA Used Car Guide \$98.00; Redwood Toxicology Laboratory \$240.00; SD Dept. of Revenue & Regulation \$2665.00; SD Dept. of Transportation \$7916.50; SD Human Services Center \$600.00; Christy Serr \$1099.44; Shepherd Reporting \$27.50; Yankton Co. Sheriff Office \$25.00; Yankton Co. Treasurer \$207.50.

Insurance: Hagan Insurance Group \$300.00.

Rentals: Frey's Electronics \$240.38.

Care of Poor: Rent: 3 recipients – Bobby Agency \$260.00; Eisenbeis Mobile Home Court \$300.00; Sletten Apartments \$260.00. Utilities: 3 recipients – NorthWestern Public Service \$565.72. Dr./Hospital: 1 recipient – Dr Ty Hanson \$49.03. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Elliott to approve hiring Christopher Brick, effective October 1, 2012 at \$13.33/hr; Ermelinda Ballesteros, effective October 2, 2012 at \$13.33/hr; Bill Rohrbach, effective October 15, 2012 at \$13.33/hr as FT Correctional Officers (Jail); Steven Scherr and Jared Embury as PT JDC Correctional Officers, effective October 15, 2012 at \$11.15/hr; and further acknowledge resignation of Kay Albrecht and Tyann Baloun, effective September 29, 2012. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of July 2012: Jan Weismantel – 81.60 @ \$45.29, Markcus Selzler – 147 @ \$81.59, Kendell Titze – 102 @ \$56.61, Mark Wendt 432 @ \$239.76, Michael Scott – 170 @ \$94.35, Gary Vetter - 92 @ \$51.06; August 2012: Jan Weismantel – 67.20 @ \$37.30, Markcus Selzler – 112 @ \$62.16, Kendell Titze – 72 @ \$39.96, Mark Wendt 384 @ \$213.12, Michael Scott – 200 @ \$111.00, Gary Vetter - 81 @ \$44.96. All members present voting aye. Motion carried.

RESCIND MOTION:

Moved by Hansen, seconded by Fischbach to rescind the following motion from the General Meeting of September 25, 2012: “Moved by Hansen, seconded by Wiese to authorize advertising a temporary part-time position at the Welfare Office.” All members present voting aye. Motion carried.

ABSENTEE/EARLY VOTING:

Moved by Elliott, seconded by Fischbach to authorize Auditor’s Office to be open on Saturday, November 3, 2012 from 9am-1pm for absentee voting. All members present voting aye. Motion carried.

CDBG-WORKFORCE DEVELOPMENT TRAINING PROGRAM (NEW TEC):

Moved by Elliott, seconded by Fischbach to approve and authorize the Chairman to sign Grant Agreement No. 1212-307 for Community Development Block Grant Funding for the Workforce Development Training Program (New Tec) in amount of \$164,500.00. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign Agreement with Northeast Council of Governments for Administrative Assistance for Community Development Block Grant Funding for the Workforce Development Training Program (New Tec) in amount of \$7,500.00. All members present voting aye. Motion carried.

CDBG YMCA PAY REQUEST #1:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Payment Request #1 for CDBG Grant #1112-114 for the YMCA Youth Development Center in amount of \$388,589.09. All members present voting aye. Motion carried.

PROOF OF LOSS STATEMENT:

Moved by Elliott, seconded by Hansen to approve and authorize the Chairman sign Proof of Loss statement for insurance reimbursement in amount of \$168,061.31 for the Expo Addition roof collapse claim. All members present voting aye. Motion carried.

ORDINANCE 078:

Moved by Fischbach, seconded by Hansen to approve Adoption of Ordinance #078, An Ordinance to rezone the following property from Chapter 4.16 Heavy Industrial District (H-I) to Chapter 4.06 Agricultural Preservation District (AG-P): SW ¼ of Sec 23-T123N-R65W of the 5th P.M., except railroad right of way and except Lot H-1, Brown County, SD, subject to easements, reservations and restrictions of record, if any (13380 378th Ave). Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-aye, Wiese-absent, Sutton-aye. Ordinance adopted.

DEPARTMENT OF EQUALIZATION:

Mary Worlie, Director of Equalization, discussed Easements and using consistent figures for all of the Townships in Brown County. State Representative Paul Dennert was also in attendance.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign applications: Web Water for occupancy of Brown County Road 23 Sec 3-T121N-R60W; Brown County Road 23 Sec 34-T122N-R60W; N Shore Drive Sec 24-T124N-R65W, Brown County, SD to provide a potable water line. Roll call vote: Commissioners Hansen-abstain, Elliott-aye, Fischbach-aye, Wiese-absent, Sutton-aye. Motion carried.

BRIDGE INSPECTION AMENDMENT #1:

Moved by Hansen, seconded by Elliott to approve and authorize the Chairman sign Amendment #1 to Bridge Inspection Work Order #B1-06-12 with Clark Engineering Company #410460 for change of scot to add one initial inspection to the 2012 Brown County bridge inspection list in amount of \$1,536.25. All members present voting aye. Motion carried.

SUPPLY PURCHASE:

Moved by Elliott, seconded by Hansen to approve purchase of 300 tons of Cold Mix at \$47/ton from Aberdeen Asphalt for the Highway Department. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Elliott to go into executive session to discuss contracts 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 October 9, 2012.

Lisa Wienk, Brown County Deputy Auditor

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OCTOBER 9, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Elliott to approve the Joint Aberdeen City/County Meeting Minutes and the General Meeting Minutes of October 2, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$8,274.33; Treasurer \$11,435.69; Data Processing \$2,024.64; State's Attorney \$13,455.63; Blood Draws \$320.00; SVAWA Grant \$1,269.24; Maintenance \$6,056.44; Assessor \$11,668.02; Register of Deeds \$7,122.24; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Adm \$30,716.11; Jail \$33,998.49; Coroner \$1,050; JDC \$14,191.79; HD \$4,275.88; Welfare Office \$2,471.75; Museum \$6,128.40; Parks & Fairgrounds \$4,630.67; Fair \$2,485.97; 4-H \$1,053.60; Weed \$4,492.71; Planning and Zoning \$2,553.07; Highway \$43,593.85; Communications \$17,895.83; Emergency Management \$2,949.42; Teen Court \$84.78; 24/7 Sobriety \$2,026.53; Landfill \$11,754.38; Matching Benefits: FICA \$15,098.32, Medicare \$3,531.07

Supplies: 446-Praxair Distribution \$148.29; A & B Business \$279.13; Alligare \$865.25; Ameripride Services \$146.88; AOSNC, LLC \$2522.55; Bakken Build Maint. \$500.00; Carlsen Funeral Home \$769.40; Crawford M S & F \$141.36; Dial-A-Move \$165.00; Diamond Mowers \$1271.32; Diesel Machinery \$581.49; Eilers \$197.00; Fastnel \$70.40; Galls \$253.14; Great Western Tire \$11,109.30; Heartland Paper \$162.24; Hecla Implement \$73.36; House of Glass \$84.69; Howe's Oil \$27,145.00; Hub City Radio \$300.00; Interstate Battery System \$202.90; Intoximeters \$2000.00; Lang's TV & Appliance \$60.00; Lawson Products \$194.42; Leidholt Electric \$57.80; LifeQuest \$821.28; M-R Sign Co. \$1123.40; Mac's \$297.53; Marco \$207.15; Menards \$54.17; Midstates Printing \$1141.36; Nelson Sales & Service \$203.93; New Deal Tire \$26,730.00; Palmer Distributing \$71.00; Pantorium \$10.49; Pierson-Ford \$960.55; PowerPlan \$410.71; Pro Ag Supply \$367.10; Runnings \$74.40; Safety Service \$538.03; Christy Serr \$21.00; Sheehan Mack Sales \$200.31; Sivertsen Technology \$848.00; Taylor Laundry \$104.00; Titan \$453.27; Tractor Supply \$17.98; Woodman Refrigeration \$455.36; Zastrow's Sales & Service \$88.00.

Repairs & Maintenance: Ameripride Services \$273.58; B & B Contracting \$14,621.25; Butler Machinery \$15,733.94; CarQuest Auto Parts \$10.67; Crawford M S & F \$138.60; Dakota Electronics \$37.50; Dakota Fluid Power \$42.50; Diesel Machinery \$1330.00; GCR Tire Center \$15.00; House of Glass \$6653.40; Jason's Electric \$159.43; Lawson Products \$11.99; Midwest Pump & Tank \$130.42; Muth Electric \$2184.03; Pierson-Ford \$1039.95; PowerPlan \$599.24; Sheehan Mack Sales \$9.01; Titan \$1385.41; Wright & Sudlow \$100,621.55.

Publishing: Aberdeen American News \$1048.94; Groton Independent \$321.63.

Travel & Conference: Carlsen Funeral Home \$225.00; Leo Leshner \$577.16; Gene Loeschke \$163.56; ND Assoc. of Fairs & Convention \$2125.00; Ramada Hotel & Suites \$485.70.

Utilities: Aberdeen City Treasurer \$2303.30; AT & T Mobility \$5.29; BDM Rural Water \$30.00; CenturyLink \$44.91; Economy Propane \$174.15; Town of Frederick \$32.25; Hecla City \$98.60; James Valley Cooperative \$350.22; Midwest Alarm \$51.50; NVC \$1668.14; NW Energy \$2684.65; Web Water \$63.19.

Professional Fees: Aberdeen Advanced Care Ambulance \$215.72; Avera Queen of Peace Health \$74.90; Avera St. Luke's \$2010.22; Denise Cody \$45.00; Marv Ekeren \$15.00; Koletzky Law Office \$194.60; Lucy Lewno \$601.80; Sanford Clinic \$55.78; SD Dept. of Revenue \$3273.49; SD Human Services Center \$600.00; Sivertsen Technology \$5150.00; Kristi Spitzer \$435.00; Karen Swanda \$60.00; Yankton County Sheriff Office \$75.00.

Rentals: Dakota Electronics \$279.25.

Care of Poor: Rent: 4 recipients – Arrow Enterprises \$260.00; Danne \$260.00; E & T Freedom Properties \$300.00; P & H Investments \$260.00; Utilities: 1 recipient – Aberdeen City Treasurer \$165.90.

Medications: 2 recipients – Kessler's Pharmacy \$133.17. Dr./Hospital: 1 recipient – Dental Center \$93.38. Burials: 1 recipient – Spitzer Miller Funeral Home \$1422.73. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve the following employee step increases, effective October 14, 2012: Nyle Jensen @ \$15.52/hr, Nathan Smith @ \$17.93/hr, Mariann Malsam @ \$13.71/hr, Terrence Evans @ 19.84/hr, Kathy Thompson @ \$14.14/hr, Albert Chagolla @ \$14.56/hr, Teri Jondahl @ \$15.94/hr, Kristal Koens @ \$16.50/hr, Glenn Neumiller @ \$13.47/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Christine Haggerty (Communications Department), effective September 12, 2012. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve hiring Jan Erickson as part-time Elections Employee, effective November 6, 2012 at \$12.68 per hour. All members present voting aye. Motion carried.

QUIT CLAIM DEED:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Quit Claim Deed for the following property acquired by tax deed to the Town of Claremont: Lots 7, 8 & 9 Block 5 Original Plat, Town of Claremont, Brown County, SD. All members present voting aye. Motion carried.

HLS PROPERTY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign equipment transfer document accepting ownership of any equipment funded under the 2010 Homeland Security Grant from Beadle County (grant administrator). Subsequent transfer documents have been completed between Brown County and sub-recipient entities. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities receiving equipment from the 2010 HLS Equipment Grant Program: Brown County Communications (cartridges), Brown County Sheriff (cartridges, coveralls), Hecla Fire Department (SCBA); and from the 2011 HLS Equipment Grant Program: Groton Police Department (state radio). All members present voting aye. Motion carried.

EMERGENCY OPERATIONS PLAN

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to sign No Change Certificate after review of the Local Emergency Operations Plan. All members present voting aye. Motion carried.

EM AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign FY 2013 (October 1, 2012 – September 30, 2013) Emergency Management State and Local Agreement with the South Dakota Office of Emergency Management (CFDA #97.042). All members present voting aye. Motion carried.

FIRST AVE SE PARKING LOT PROJECT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign Change Order #1(final) for Extension Office Parking Area Resurfacing Project increasing cost of project by \$538.00, for total project cost of \$100,621.55. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign Certificate of Final Completion for Brown County Extension Office East Parking Area Resurfacing Project, with date of final completion being October 5, 2012. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Elliott to approve and authorize the Chairman to sign Pay Request #1 for Brown County Extension Office East Parking Area Resurfacing Project in amount of \$100,621.55. All members present voting aye. Motion carried.

REGISTER OF DEEDS RECORDS:

Carol Sherman, Register of Deeds, Mary Worlie, Director of Equalization, and Paul Sivertsen, Sivertsen Technology discussed options for online records from the Register of Deeds Office.

EM UPDATE:

Scott Meints, Director of Emergency Management, discussed Jackson County Improvement District 1 Project in North Dakota and the Commission requested that Gary Vetter and he attend the hearing on October 30, 2012.

RECESS:

The Chairman declared the Commission recessed until October 16, 2012.

Lisa Wienk, Brown County Deputy Auditor

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OCTOBER 16, 2012 – GENERAL MEETING

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

YEARS OF SERVICE AWARDS:

The Commission presented Sheila Enderson a Certificate of Appreciation for Thirty Five Years of Service to the County with congratulations and thanks for her service to the County.

MINUTES:

Moved by Elliott, seconded by Wiese to approve the General Meeting Minutes of October 9, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Aberdeen Asphalt \$12,838.12; American Locker Security System \$350.00; Cash-Wa Distributing \$5264.12; Civic Research Institute \$179.95; Randy Crawford \$14.99; Crescent Electric Supply \$764.10; Dakota Mailing & Shipping \$156.09; Dependable Sanitation \$23,878.94; DS Solutions \$250.00; DT Pharmacy \$1560.00; Earthgrains \$499.49; Ed Roehr Safety Products \$1014.79; Fire Safety First \$47.85; GCR Tire Center \$194.00; Geffdog Designers \$160.00; Glas Consulting \$155.00; Hanlon Brothers \$14,713.52; John Heine \$63.57; Kessler's \$372.67; Kone Inc. \$2242.44; Marco \$99.01; McFarland Supply \$4089.17; Midwest Alarm \$612.00; North Central Farmer's Elevator \$18,884.47; North Star Energy \$42.00; Pantorium \$11.49; Photo-X-Press \$220.83; Pomp's Tire Service \$57.95; Qualifications Targets \$545.77; Running Fleet & Farm \$63.12; SD Law Review \$33.02; Sewing Shoppe \$24.50; Share Corp. \$287.00; Specialty Mfg. \$59.16; Tri-State Water \$30.40; Western Printing \$51.00.

Repairs & Maintenance: A-1 Sanitation \$386.00; Aberdeen Chrysler \$44.50; Dana Breske \$95.40; Brown County Treasurer \$5.00; Double D Body Shop \$99.71; Fire Safety First \$31.00; G & K Services \$41.19; GCR Tire Center \$796.24; Kane Logistics \$4500.00; Midwest Pump & Tank \$37.38; Pierson-Ford \$232.26; Safety Service \$467.17; Sheehan Mack Sales \$328.50.

Publishing: Aberdeen American News \$2322.89; Groton Independent \$885.12.

Travel & Conference: John Clark \$150.40; Cindy Eppard \$59.00.

Transcripts: Michelle Gaikowski \$935.00.

Utilities: Aberdeen City Treasurer \$ 4796.87; CenturyLink \$1443.10; Executive Management Finance Office \$335.11; Midwest Alarm \$432.00; Northern Electric \$946.05; Northern Wireless Communications \$149.90; Northwestern Energy \$1427.07.

Professional Fees: Brown County Treasurer \$9.00; Lexis/Nexis Risk Data Management \$50.00; Nancy Schlichenmayer \$60.00; SD Assoc. of County Officials \$1148.00; SD Dept. of Revenue \$482,002.62; SD Human Services Center \$236.76.

Other: James River Water Development \$3343.15; Spot Freight \$1585.00.

Care of Poor: Rent: 6 recipients – Beachair Enterprises \$260.00; Danne \$260.00; Harry Schaible Jr. \$300.00; Aberdeen Mobile Home Park \$152.00; Silvia & Carson Murdy \$160.00; Rockford Apartments \$195.00. Utilities: 2 recipients – City of Groton \$300.00; NW Public Service \$154.91. Dr./Hospital: 2 recipients – Dental Center \$73.08; Sanford Clinic \$34,528.21. Burials:

1 recipient – Spitzer-Miller Funeral Home \$1200.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve hiring Christine Kusler as blood draw technician for Sherriff's Department effective October 15, 2012, due to resignation of Dawn Wipf. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve employee status change from part-time to regular part-time for Chase Dykema, effective October 14, 2012 at \$11.15 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Pam Wolf (PT Maintenance), effective October 19, 2012; approve hiring Marla Zastrow (PT Maintenance), effective October 22, 2012 at \$8.21 per hour. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Elliott, seconded by Wiese to approve the following September 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the September 2012 Auditor's Report of Account with the County Treasurer in total amount of \$12,183,421.34 (total amount of actual cash @ \$3,704.00, Wells Fargo Bank @ \$3,621.29, US Bank @ \$36,377.87, Dacotah Bank @ \$596,712.11, Petty Cash @ \$2,000.00, Fund Investments @ \$11,540,910.07, Outstanding checks \$96.00). All members present voting aye. Motion carried.

RACE TRACK OPTION:

Moved by Fischbach, seconded by Wiese to approve request, submitted by Nick Guthmiller, Generation 2 Promotions for one-year option to lease Brown County facilities at the Fairgrounds for the 2013 Car Racing season, per lease dated December 8, 2009. All members present voting aye. Motion carried.

TEMPORARY MALT BEVERAGE LICENSE:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign the following Temporary Malt Beverage License Application: Generation 2 Promotions – Brown County Fairgrounds (Clubhouse) SW ¼-Sec 1-T123N-R64W, effective October 20, 2012. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Fischbach, seconded by Hansen to accept for filing the July – September 2012 Interest Statement (\$10,189.31), submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

RELIEF LIEN (INDIGENT COUNCEL):

Commissioner Hansen offered the following Resolution:

RESOLUTION #75-12

WHEREAS, Brown County has filed an Indigent Counsel Lien against an individual in amount of \$414.00, dated January 25, 2005; and

WHEREAS, said individual was born in 1979 with middle initial "I"; and

WHEREAS, another individual with the same first and last name was born in 1957 with middle initial "R"; and

WHEREAS, sufficient evidence has been presented to confirm that the individual born in 1957 with middle initial "R" is not the same person as the individual with the lien.

NOW, THEREFORE BE IT RESOLVED that the Indigent Counsel Lien in amount of \$414.00 is the responsibility of the individual born in 1979 with middle initial "I" and not against the individual born in 1957 with middle initial "R".

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

TAX DEED SALE:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Quit Claim Deeds to the successful bidder for the following Tax Deed property sold at public auction on October 15, 2012: Aberdeen City: W2 Lt 7 Bk 49 Hagerty & Lloyd Addition @ \$20.00. All members present voting aye. Motion carried.

GAME RESERVE ALCOHOLIC BEVERAGE HEARING SET:

Moved by Fischbach, seconded by Wiese to authorize advertising public hearing to consider the following application for a Game Preserve Alcoholic Beverage License, to be held in the Brown County Commission Chambers, Courthouse Annex at 8:45 a.m. on November 6, 2012: Game Preserve Alcoholic Beverage License: Little River Pheasant Hunts, 39497 145th St. Stratford, SD -Lot 1 Cutler's 1st Subdivision NE 1/4 Sec 19-T121N-R62W, effective November 6, 2012-March 31, 2013. All members present voting aye. Motion carried.

VACATE PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #76-12

WHEREAS, Mark and June Thompson, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plat legally identified as:

That platted portion of the SE ¼ of Sec 9-T124N-R61W of the 5th P.M. lying south and east of the Great Northern Railroad Company right of way, which includes all of Blocks 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 inclusive, including all streets, avenues and alleys, Original Plat to the town of Putney, Brown County, SD

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:

That platted portion of the SE ¼ of Sec 9-T124N-R61W of the 5th P.M. lying south and east of the Great Northern Railroad Company right of way, which includes all of Blocks 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 inclusive, including all streets, avenues and alleys, Original Plat to the town of Putney, Brown County, SD

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

APPLICATIONS FOR OCCUPANCY:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman to sign application: James Valley Telecommunications for occupancy of Brown County Road 5 Sec 1/6-T127N-R62-63W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign application: NorthWestern Energy for occupancy of Brown County Road 14 Sec 36 & 25-T123N-R62-64W, Brown County, SD to provide a natural gas pipeline. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman to sign application: Dahme Construction Co., Inc. for occupancy of Brown County Road 4 Sec 6-T123N-R63W, Brown County, SD to provide a sewer main. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel and contracts with Stu Swenson 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

EMPLOYEE ASSISTANCE PROGRAM:

Andrea Sjomeling, Human Resources Manager, and Tom Schmitt, Chief Deputy Sheriff, discussed the options of getting an Employee Assistance Program.

RECESS:

The Chairman declared the Commission recessed until October 23, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

OCTOBER 23, 2012 - JOINT ABERDEEN CITY/BROWN 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 Campbell, Mitchell, Remily, Rux and Mayor Levsen. Absent were Council Members Agnitsch, Bunsness, Slaughter-Hansen and Swanson. Present from County were Commissioners Hansen, Fischbach, Wiese and Sutton. Absent Commissioner Elliott.

ORDINANCE #12-10-02/410:

On motion by Campbell, seconded by Mitchell, the City unanimously voted to approve First Reading Ordinance No. 12-10-02/410.

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 12-10-02/410, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District: Proposed DFP Outlot 1 in the NW ¼ of Sec 23-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE #12-10-03/411:

On motion by Rux, seconded by Remily, the City unanimously voted to approve First Reading Ordinance No. 12-10-03/411.

Moved by Wiese, seconded by Hansen to approve First Reading of Ordinance No. 12-10-03/411, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lots 24 and 25 of the Evelos Outlot in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

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

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

OCTOBER 23, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Commissioner Elliott was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting Minutes of October 16, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$8,667.83; Treasurer \$11,435.69; Data Processing \$2,138.72; State's Attorney \$13,399.60; SVAWA Grant \$1,269.24; Blood Draws \$520.00; Maintenance \$6,092.32; Assessor \$11,668.03; Register of Deeds \$7,122.24; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Admin \$30,259.08; Jail \$32,443.21; Coroner \$120; JDC \$14,812.37; HD \$4,711.17; Welfare Office \$2,704.89; Museum \$6,128.40; Parks & Fairgrounds \$4,645.43; Fair Board \$2,485.97; 4-H \$1,053.61; Weed \$2,324.00; Planning and Zoning \$2,050.39; Highway \$42,195.52; Communications \$19,532.96; Emergency Management \$2,949.42; Teen Court \$233.15; 24/7 \$2,099.01; Landfill \$12,065.47

Matching Benefits: FICA \$14,841.08; Medicare \$3,470.87; Life \$567.18; Dental \$5,644.80; Health Insurance \$87,763.80; Retirement \$30,374.59

Supplies: 4H Leader's Association \$5350.00; A & B Business \$3030.19; Ameripride Services \$196.42; Best Business Products \$176.80; Brown County Treasurer \$24.26; CarQuest Auto Parts \$473.76; Creative Product Source \$1635.10; DT Pharmacy \$958.85; Ecolab Pest Elimination \$283.49; Farm Power \$717.92; Fordham Signs \$610.26; Gall's \$238.20; Heartland Paper \$2532.86; HKG Architects \$1000.00; House of Glass \$1246.76; Howe's Oil \$29,118.00; Leidholt Electric \$85.71; Midstates Printing \$266.34; Mobile Electronic Service \$1635.00; NSU Foundation \$35.00; PharChem \$21.00; Photo-X-Press \$128.35; Plaques & Engraving \$5.00; SD Dept. of Public Safety \$103.00; TrueNorth Steel \$6086.52; US Bank \$13,044.67; West Payment Center \$1766.43.

Repairs & Maintenance: Aberdeen Asphalt \$15,417.51; Dakota Fluid Power \$67.39; Farm Power \$93.00; Holloway Construction \$9100.42; Karst Car Care \$418.15; LTK Heating & Cooling \$224.49; US Bank \$4067.07.

Publishing: Aberdeen American News \$431.86; US Bank \$866.11.

Travel & Conference: Michael Carlsen \$331.34; City of Groton \$58.83; Deadwood Mountain Grand \$146.00; Gene Loeschke \$183.77; Pennington County Sheriff's Office \$231.60; Pizza Ranch \$60.00; US Bank \$7023.52.

Transcripts: Kristi Brandt \$30.60.

Utilities: CenturyLink \$2475.54; Dependable Sanitation \$165.00; Northern Electric Coop. \$100.00; NorthWestern Energy \$378.62; Verizon Wireless \$43.84.

Professional Fees: Aberdeen Surgical Assoc. \$853.48; Avera St. Luke's \$6107.75; Dental Center \$112.68; Christopher Dohrer \$1411.89; Jodi Hoffman \$2277.32; Language Line Services \$90.00; Sanford Clinic \$175.07; Sanford Health \$1016.84; SD Assoc. of County Commission \$12,460.28; Sivertsen Technology \$4825.00.

Insurance: Hagan Insurance \$250.00.

Tree Grinding: Dakota Wood Grinding \$18,442.50.

Care of Poor: Rent: 4 recipients – Rella Botha \$320.00; Rod Eikamp \$320.00; Golden West Inc. \$226.00; Timothy Swisher \$280.00. Utilities: 2 recipients – Aberdeen City Treasurer \$165.09; NW Public Service \$300.00. Medications: 1 recipient – Kmart Pharmacy \$16.00. Dr./Hospital: 4 recipients – Avera Aberdeen Family Physicians \$66.94; Dakota Plains Surgical \$6519.80; Dental Center \$237.52; Orthopedic Surgery Specialist \$121.90. Burials: 3 recipients – Aberdeen City Treasurer \$250.00;

Schriver's Memorial Mortuary \$1000.00; Spitzer Miller Funeral Home \$1200.00. Roll call vote: Commissioners Hansen-aye, Elliott-absent, Fischbach-aye, Wiese-aye, Sutton-aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve the following employee step increases, effective October 28, 2012: Sandra Mielke @ \$14.14/hr, Cindy Woodford @ \$12.92/hr, Matt Heupel @ \$13.47/hr, Patti Jo Woods @ 14.86/hr. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

Resolution #77-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Krueger's Outlot B in SW ¼ Sec 11-T122N-R60W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #78-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Gengerke First Subdivision in SE ¼ Sec 13-T124N-R61W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #79-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Bindenagel Richmond Lake Subdivision in the NW ¼ of Sec 25-T124N-R65W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #80-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Akkerman Homesite Subdivision in E ½ SE ¼ Sec 8-T123N-R62W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #81-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Thorpes Sixth Elm Lake Subdivision in the NE ¼ of Sec 17-T128N-R65W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #82-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Kevin Hundstad Subdivision in the SE ¼ of Sec 7-T122N-R62W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #83-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Dobberpuhl Third Conservation Easement Tract 1 in the SW ¼ of Sec 1 and SE ¼ of Sec 2 all in T124N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #84-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Pence First Subdivision in the SE ¼ of Sec 9-T125N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #85-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "DFP Outlot 1 in the NW ¼ of Sec 23-T123N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #86-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "New Garden of Calvary Addition & Mausoleum Outlot to Sunset Memorial Gardens in the SE ¼ of Sec 15-T123N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #87-12

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "G. Wilson Outlot 1 in the NE ¼ of Sec 2-T122N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

Resolution #88-12

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Lefebvre Addition in Prairiewood Village in the NE ¼ of Sec 33-T124N-R63W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

CONSOLIDATED BOARD OF EQUALIZATION:

Commissioner Hansen offered the following Resolution:

Resolution #89-12

A RESOLUTION TO ESTABLISH CONSOLIDATED BOARD OF EQUALIZATION
PURSUANT TO SDCL 10-11-66 THROUGH 10-11-77

BE IT RESOLVED 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.

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

TEEN COURT JABG APPLICATION:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign application for Department of Corrections – Juvenile Accountability Block Grant in amount of \$10,476.00 (10% match required), effective October 1, 2012 – September 30, 2013. All members present voting aye. Motion carried.

CDBG YMCA YOUTH DEVELOPMENT CENT PROGRESS HEARING:

Time and place, as advertised to receive questions and comments concerning the YMCA Youth Development Center Project and its CDBG funding. Steve Graf, YMCA and Ted Dickey, NECOG presented a project update and were available to address any comments/questions. No one appeared in person and there were no written questions/comments received.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session to discuss possible litigation with Steve Graf 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.

DUMPSTER SITE DISCUSSION:

Mike Scott, Landfill Manager and Tom Schmidt, Chief Deputy Sheriff presented examples of dumping violations video recorded at the dumpster sites and discussed a draft resolution setting penalty guidelines for violations. There was no action taken at this time.

PARTIAL PAYMENTS:

Moved by Wiese, seconded by Fischbach to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$2,009.13 down and \$100.00 per month, effective November 30, 2012 on Lt 1 & N 20' Lt 2 Blk 23 Hagerty & Lloyd Addition. All members present voting aye. Motion carried.

PUBLIC LAND AUCTION:

Moved by Fischbach, seconded by Hansen to designate Commissioner Mike Wiese as the Brown County Commission representative in attendance at a public auction of 157 acres in the NE ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, to be held at 2:00 p.m. on October 26, 2012; and further authorize Mr. Wiese to bid on said land for purchase by Brown County, but not to exceed a predetermined amount set by the full Commission. All members present voting aye. Motion carried.

PERMIT DISCUSSION:

Gary Vetter, Planning & Zoning Administrator posed the question of imposing a permit system for community events on private property other than current alcoholic beverage licenses. After discussion the Commission decided not to implement any additional permits for events on private property.

APPLICATIONS FOR OCCUPANCY:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign the following applications: Northern Electric for occupancy of Brown County Road 21 NE ¼ Sec 18 SE ¼ 7-T122N-R62W, Brown County, SD; and Brown County Road 12WA NE ¼ Sec 25 SW 14/ 24-T123N-R65W, Brown County, SD to provide electrical power. All members present voting aye. Motion carried.

RUMBLE STRIP QUOTES:

Moved by Hansen, seconded by Wiese to approve low quote submitted by Swanston Equipment in amount of \$3,225.60 for labor and material to place rumble strips on Brown County 6; rejecting quote submitted by Diamond Surface Inc. in amount of \$5,700.00. All members present voting aye. Motion carried.

BID AWARD COUNTY ROAD 23 GRADE RAISE:

Moved by Wiese, seconded by Fischbach to approve SDDOT award of contract to Lien Transportation Company in amount of \$477,433.84 – Item 4, October 4, 2012 Letting ER-P 6176(27), PCN 03J8 Brown County #23 Grade Raise; rejecting the following: Kriech Construction @ \$525,223.00, Webster Scale Inc @ \$581,778.05, A-G-E Corporation @ \$585,447.97. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese 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.

AMBULANCE AGREEMENT:

Moved by Hansen, seconded by Wiese to authorize the Chairman to sign an agreement between Brown County and the City of Aberdeen for County-wide Ambulance Service. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until October 30, 2012.

Lisa Wienk, Brown County Deputy Auditor

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OCTOBER 30, 2012 - JOINT ABERDEEN CITY/BROWN 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 Bunsness, Campbell, Mitchell, Slight-Hansen and Mayor Levsen. Absent were Council Members Agnitsch, Remily, Rux and Swanson. Present from County were Commissioners Elliott, Fischbach, Wiese and Sutton. Absent Commissioner Hansen.

ORDINANCE #12-10-02/410:

On motion by Campbell, seconded by Mitchell, the City unanimously voted to adopt Ordinance No. 12-10-02/410.

Moved by Fischbach, seconded by Elliott to adopt Ordinance No. 12-10-02/410, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District: Proposed DFP Outlot 1 in the NW ¼ of Sec 23-T123N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Ordinance adopted.

ORDINANCE #12-10-03/411:

On motion by Slight-Hansen, seconded by Campbell, the City unanimously voted to adopt Ordinance No. 12-10-03/411.

Moved by Elliott, seconded by Wiese to adopt Ordinance No. 12-10-03/411, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lots 24 and 25 of the Evelos Outlot in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Elliott-aye, Fischbach-aye, Wiese-aye, Sutton-aye. Ordinance adopted.

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

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

OCTOBER 30, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Elliott, Fischbach and Wiese. Commissioner Hansen was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Elliott, seconded by Wiese to approve the Joint Aberdeen City/County Meeting Minutes and the General Meeting Minutes of October 23, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A & B Business \$91.10; Beadle Floral & Nursery \$1895.72; Brown County Treasurer \$500.00; Cartney Bearing \$4.88; Dex Media East \$52.00; F L Mailing Solutions \$504.00; Gall's \$76.22; GCR Tire Center \$474.09; GovConnection \$484.04; Heartland Paper \$3536.62; HF Jacobs & Son Construction \$216,000.00; Intoximeters \$103.90; Lien Transportation \$3663.22; Marco \$540.91; Midcontinent Communications \$108.85; Photo-X-Press \$42.49; Romeo Entertainment Group \$868.50; Sander's Sew-n-Vac \$149.99; Webb Shoe Company \$539.90; West Payment Center \$24.96.

Repairs & Maintenance: Dakota Electronics \$65.00; Leidholt Electric \$113.31; Priority Dispatch \$2790.00.

Travel & Conference: Kathy Fischer \$212.91; Leo Leshner \$322.89; Russell Metz \$273.54; Gary Vetter \$21.00.

Transcripts: Shepherd Reporting \$110.00.

Utilities: AT & T Mobility \$2080.01; CenturyLink \$45.03; Midcontinent Communications \$263.85; Montana Dakota Utilities \$15.39; NW Energy \$2178.96.

Professional Fees: Norma Anderson \$15.00; Avera St. Luke's \$3455.28; Christopher Dohrer \$5778.93; Horn Law Office \$454.80; Kuck Law Office \$5520.83; Lewis & Clark BHS \$596.00; Lucy Lewno \$150.45; Gina Rogers \$5520.83; SD Human Services Center \$600.00; Christy Serr \$5770.83; Karen Swanda \$15.00; Yankton County Sheriff Office \$75.00.

Care of Poor: Rent: 2 recipients – Jency Agency \$520.00. Dr./Hospital: 6 recipients – Avera St. Luke's \$7049.69; Dental Center \$112.68; Orthopedic Surgery Specialist \$25.38.

Jurors: Melchor Aguilar \$12.22; Bailey Aman \$17.40; Nancy Anderson \$10.74; Shirley Bain \$11.48; Holly Barkley \$11.48; Christopher Beusch \$11.48; Kari Beyer \$11.48; Arlene Buechler \$10.74; Theresa Cler \$102.96; David Dell \$117.76; Herman Dennert \$11.48; Thomas Diede \$12.22; David Dosch \$12.22; Darcie Eggers \$122.20; Michael Elsen \$39.60; Patricia Feiock \$102.96; Brittney Filipiak \$11.48; Carol Fischer \$102.96; Daniel Fischer \$10.74; Zachary Flakus \$11.48; Rita Ford \$10.74; Kay Frederick \$18.14; Darren Geffre \$11.48; Gary Goebel \$10.74; Lyle Goldade \$12.22; Larry Griffiths \$12.22; Kristin Gross \$11.48; Lynda Grote \$10.74; Troy Haaland \$21.10; Anne Hartman \$12.96; Patrick Heilman \$11.48; Mary Hemen \$24.06; Bryan Hofer \$17.40; Kerri Hubbs \$23.32; Terry Jackson \$11.48; Brian Johnson \$104.44; Ralph Johnson \$28.50; Jackee Karst \$10.74; Paula Keller \$114.80; Pamela Ketterling \$10.74; Chelsey Kline \$102.96; Terri Kolb \$18.88; Jason Krenz \$11.48; Ervin Kruse \$24.80; Carissa Larson \$10.74; David Larson \$28.50; Justin Lehr \$11.48; Tessa Ligon \$11.48; Helen Loebs \$10.74; Eloy Malsom \$11.48; Diane Mann-Klager \$28.50; Jonah McLaughlin \$11.48; Kae McNeil \$11.48; Diane Mitchell \$35.90; Linda Musch \$21.10; Kellye Neace \$104.44; Rita Nevill \$11.48; Kevin Nikolas \$10.74; Richard Pederson \$11.48; Tina Pfeiffer \$13.70; Vicki Pigors \$141.44; Jeffery Price \$11.48; Christine Rawstern \$102.96; Michael Roemmich \$10.74; Daniel Rohrbach \$10.74; Heather Rowen \$11.48; Mary Rowen \$14.44; Kimberly Rozell \$23.32; Taryn Ryckman \$18.88; June Scher \$102.96; Evelyn Schmidt \$11.48; Joy Schweigert \$11.48; Dennis Smook \$102.96; Leonard Stogsdill \$11.48; Evelyn Telin \$47.00; Cletus Thomas \$11.48; Paul Weiss \$11.48; Michael White \$10.74; Patty Wiedmeier \$67.72; Cynthia Wixon-Loecker \$11.48; Carol Wolf \$10.74; Marina Womack \$12.22; Rachel Zeller \$11.48. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve hiring Kay Fredrick as part-time Elections Employee, effective November 6, 2012 at \$12.68 per hour. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Wiese to approve hiring Steve Ramsdell as part-time scale operator at Landfill, effective October 31, 2012 at \$12.68 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve hiring Courtney Tedder as full-time Dispatcher for Communications, effective October 29, 2012 at \$13.62 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to approve employee status change for Tina Boldt from part-time to regular part-time in IT Department, effective October 30, 2012 at a wage of \$12.68 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of September 2012: Jan Weismantel – 48 @ \$26.64, Marcus Selzler – 133 @ \$73.82, Kendell Titze – 72 @ \$39.96, Mark Wendt 384 @ \$213.12, Michael Scott – 150 @ \$83.25, Gary Vetter - 132 @ \$73.26. All members present voting aye. Motion carried.

DISINTERMENT PERMIT:

Moved by Fischbach, seconded by Wiese to acknowledge and accept Notice of Disinterment Permit (Sigaty) affecting Brown County from the SD Department of Health Vital Records. All members present voting aye. Motion carried.

POOR RELIEF:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #90-12

WHEREAS, Brown County has filed the following lien against an individual: County Relief Lien in amount of \$52,067.26 dated July 31, 1996 through September 23, 2004, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon payment of \$500.00 upon execution of this Resolution, \$2,000.00 upon sale of property and on condition that balance of lien remains filed against the individual and monthly payments continue.

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

A rectangular tract of ground 120' in width and 180' in depth with the longer portion thereof lying Northwesterly and Southeasterly with the SE corner of said tract of ground situated at the NW corner of Lt 12, Blk 13, Campbell and Butler's Addition to Putney, SD, with the Northeasterly side thereof being parallel and adjacent to the Southeasterly 114' of the Southwesterly lot line of Lt 13, Blk 7, Campbell and Butler's Addition to Putney and the Southwesterly side of said tract (being 120' wide) and being parallel and adjacent to the NW side of Lts 1 and 2 and the Northeasterly 4' of Lot 3, Blk 14, Campbell and Butler's Addition to Putney which tract also includes portions of vacated 6th Street and vacated 2nd Ave and vacated Blk 6 of said Campbell and Butler's Addition to Putney, SD.

is hereby released from the effect and force of said liens, upon payment of \$500.00 upon execution of this Resolution, \$2,000.00 upon sale of property and on condition that balance of all lien remains filed against the individual and monthly payments continue.

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

ORDINANCE 079:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing for Ordinance No. 079, An Ordinance to Amend Title 3 of the Second Revision Brown County Ordinances- Solid Waste Management System, Chapter 3.0104 and Chapter 3.0702, to be held on November 20, 2012 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

RESCIND MOTION – CDBG YMCA PAY REQUEST #1:

Moved by Fischbach, seconded by Elliott to rescind the following motion from the General Meeting of October 2, 2012: "Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Payment Request #1 for CDBG Grant #1112-114 for the YMCA Youth Development Center in amount of \$388,589.09." All members present voting aye. Motion carried.

STATE HLS GRANT PROGRAM AGREEMENT:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman sign the 2012 State HLS Program Grant Reimbursement Terms and Conditions Agreement in amount of \$49,868.00 for equipment. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

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

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for July – September 2012.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign the following applications: Northern Valley Communication for occupancy of Brown County Road 23 Sec 2-T121N-R64W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

BR278 CHANGE ORDER #4:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign Change Order #4 for BRO 8007(37), PCN H051 (BR 278), Brown County Structure & Approach Grading (55'6" Double Tee Bridge) decreasing cost of project by \$6,339.76, for total project cost of \$253,681.94. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until November 6, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

NOVEMBER 6, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the Joint Aberdeen City/County Meeting Minutes and the General Meeting Minutes of October 30, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Auditor \$8,695.35; Treasurer \$11,435.70; Data Processing \$2,072.29; State's Attorney \$13,500.55; Blood Draws \$640.00; SVAWA Grant \$1,269.24; Maintenance \$6,171.51; Assessor \$11,668.03; Register of Deeds \$7,136.65; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Adm \$29,079.92; Jail \$31,011.54; Coroner \$1,500; JDC \$14,277.09; HD \$4,574.83; Welfare Office \$2,803.80; Museum \$6,128.40; Parks & Fairgrounds \$4,625.98; Fair \$2,485.97; 4-H \$1,053.61; Weed \$2,356.68; Planning and Zoning \$2,063.07; Highway \$44,154.84; Communications \$18,063.54; Emergency Management \$2,949.42; Teen Court \$317.93; 24/7 Sobriety \$2,026.52; Landfill \$11,011.90; Matching Benefits: FICA \$14,756.08, Medicare \$3,450.98

Supplies: A & B Business \$151.37; Aberdeen Awards \$64.00; Ameripride Services \$186.98; Bakken Building Maintenance \$500.00; Butler Machinery \$219.83; Crescent Electric Supply \$980.32; Cunningham Electric \$4396.67; Custom Glass & Repair \$80.00; Dakota Electronics \$3053.19; Dakota Supply Group \$37.23; Danko \$3539.06; East River Technologies \$1004.97; Engel Music Supply \$50.00; Fire Safety First \$15.75; Frey's Electronics \$240.38; Gall's \$419.69; Gardner Locksmithing \$90.01; Great Western Tire \$963.44; Heartland Paper \$43.16; Hub City Radio \$300.00; J. Gross Equipment \$1515.00; Lang's Audio TV & Appliance \$58.30; Lar-Jo's \$333.24; Mac's \$85.75; McFarland Supply \$29.11; Midstates Printing \$74.20; Myer's Tire \$356.30; North Central Farmer's Elevator \$1964.85; Pheasantland Industries \$2210.51; PowerPlan \$769.74; Runnings Farm & Fleet \$38.79; Share Corp \$84.00; Software Unlimited Corp. \$657.00; Titan \$503.46; Webb Shoe Co. \$169.95; Woodman Refrigeration \$1664.15.

Repairs & Maintenance: Butler Machinery \$ 1839.30; Fire Safety First \$122.95; Frey's Electronics \$352.27; HF Jacobs & Son Construction \$3461.74; J. Gross Equipment \$41.80; Leidholt Electric \$736.44; Myer's Tire \$43.21; Bryan Owens \$55.98; PowerPlan \$1438.96; Safety Service \$553.68; Schmidt Construction \$2908.14; Titan \$742.39.

Publishing: Aberdeen American News \$6943.89; Groton Independent \$1405.78.

Travel & Conference: Best Western Ramkota Hotel \$158.00; Gary Vetter \$9.00; Scott Meints \$9.00; Michael Merkel \$3.67; Jan Weismantel \$52.00; Karly Winter \$449.94; Patti Woods \$183.20.

Transcripts: Tammy Erickson \$70.00 ; Shepherd Reporting \$41.25.

Utilities: Aberdeen City Treasurer \$999.25; AT & T Mobility \$454.78; BDM Rural Water \$35.00; James Valley Cooperative \$220.70; Midcontinent Communications \$53.85; Midwest Alarm \$250.42; Northern Valley Communications \$544.27; NorthWestern Energy \$6904.66; Web Water \$63.80.

Professional Fees: Aberdeen Advanced Care Ambulance \$93.67; AMG Group Radiology \$224.90; Avera St. Luke's \$17,460.35; Avera St. Luke's Clinical Division \$74.39; Denise Cody \$22.50; Tammy Erickson \$168.00; Hennepin County Sheriff Office \$70.00; Language Line Services \$326.73; Dana J. Larson \$206.90; Lucy Lewno \$172.95; Redwood Toxicology Laboratory \$290.00; Rio Grande County Sheriff \$42.00; Sanford Clinic \$39.86; Sanford Health \$222.68; SD Dept. of Revenue & Regulation \$5703.32; SD Dept. of Transportation \$2168.09; Sivertsen Technology \$4450.00; Karen Swanda \$22.50; University of ND \$6000.00; Nathan Woods \$273.80.

Care of Poor: Rent: 2 recipients – Bill Meidinger \$200.00; Craig Pulling \$240.00. Dr./Hospital: 8 recipients – AMG Anesthesiology \$208.00; Avera Behavioral Health \$200.00; Avera St. Luke's \$8223.52; Dakota Plains Surgical Center \$802.41; Orthopedic Surgery Specialist \$117.11. Medications: 1 recipient – Kessler's \$14.87. Utilities: 1 recipient – Aberdeen City Treasurer \$157.36. Burials: 1 recipient – Aberdeen City Treasurer \$500.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective November 11, 2012: Andrew Janusz @ \$13.34/hr, Michael Ernst @ \$15.19/hr, Sheila Anderson @ \$17.07/hr, Ember Currence @ 14.21/hr, Dana Breske @ 13.97/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Elliott to acknowledge resignation of Robert Porter III (24/7 Sobriety), effective November 13, 2012. All members present voting aye. Motion carried.

ORDINANCE 12-11-01/412:

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to consider the Petition filed by Robert Ross to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 14 Auditor's Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD, (2208 135th Street SW) to be held on November 27, 2012 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE APPLICATION:

Moved by Hansen, seconded by Elliott to approve and authorize the Chairman sign the following Game Preserve Alcoholic Beverage License Application, Game Preserve Alcoholic Beverage License: Little River Pheasant Hunts (Dayle Luedeke), 39497 145th St. Stratford, SD –Lot 1 Cutler's 1st Subdivision NE 1/4 Sec 19-T121N-R62W, effective November 6, 2012-March 31, 2013. All members present voting aye. Motion carried.

FAIR BOARD:

Moved by Elliott, seconded by Wiese to acknowledge resignation of Joe Akkerman and Nate Kessler from the Fair Board and appoint Matt Scott and Don Ganje, Jr. to fill openings (first term 2013-2015); appoint Rieck Eske, Richard Taylor and Terri Traxinger for their second three-year term on the Brown County Fair Board, effective January 1, 2013-2015. All members present voting aye. Motion carried.

EMPLOYEE DENTAL PLAN:

Carol Sommers, Insurance Plus, and Andrea Sjomeling, HR Manager, discussed Employee Dental Plan Options.

JACKSON COUNTY IMPROVEMENT DISTRICT 1 PROJECT:

Scott Meints, EM Director, Gary Vetter, Planning & Zoning, and Jason Forrestt, FEMA, discussed the hearing that was held on October 30, 2012 in Ellendale ND in regard to the Jackson County Improvement District 1 Project. Commissioner Sutton asked them to get cost estimates from Clark Engineering for a management plan and bring back to Commissioners.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign the following application: Northwestern Energy for occupancy of Brown County Road 9 Sec 10, 11, 14 & 15-T125N-R64W, Brown County, SD to provide underground electrical cables & conduit. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman to sign the following application: Northern Electric for occupancy of Brown County Road 10 NE ¼ Sec 14 & NW ¼ Sec 13-T127N-R64W, Brown County, SD to provide underground power line. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until November 13, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

NOVEMBER 8, 2012 – CANVASS OF NOVEMBER 6, 2012 GENERAL ELECTION

Brown County Commissioners Nancy Hansen, Burt Elliott, Duane Sutton and Mike Wiese convened as the canvassing board for the November 6, 2012 General Election, as authorized by SDCL 12-20-36 at 4:00 p.m. on November 8, 2012 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Chairman Sutton called the meeting to order and led the Pledge of Allegiance.

The board proceeded to open the returns from the various voting precincts in the county and verified the abstract of the votes cast for each of the candidates and each of the issues prepared by the Auditors Office. The official returns abstract was signed and certified by the canvassers, under the seal of the county auditor.

Moved by Hansen, seconded by Wiese to adjourn the Canvass Meeting for the November 6, 2012 General Election. All members present voting aye. Motion carried.

Maxine Fischer – Brown County Auditor

Published once at the total approximate cost of \$_____.

NOVEMBER 13, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Elliott and Fischbach. Commissioners Hansen and Wiese were absent. Commissioner Sutton led the Pledge of Allegiance.

High School Students from area schools participated in County Government Day sponsored by the American Legion. The students toured County Departments, the Jail, JDC, Dacotah Prairie Museum and Circuit Court Offices.

MINUTES:

Moved by Elliott, seconded by Fischbach to approve the General Meeting Minutes of November 6, 2012 and the General Election Canvass Meeting Minutes of November 8, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Praxair Dist. \$93.52; A & B Business \$63.45; Aberdeen Chrysler Center \$126.10; Aberdeen Plumbing & Heating \$1002.66; Artz Equipment \$967.84; Cash-Wa Dist. \$5851.24; Cole Papers \$1085.50; Crawford Trucks & Equipment \$2350.45; Dakota Electronics \$2013.20; Dakota Oil \$3136.11; Dependable Sanitation \$34,278.28; Diesel Machinery \$1150.00; DT Pharmacy \$1663.31; Earthgrains Co. \$422.57; Ecolab Pest Elimination \$122.97; Economy Propane \$500.40; Fastenal \$684.85; Gardner Locksmithing \$17.45; GovConnection \$1390.90; Graham Tire \$13.25; Green Iron Equipment \$ 75.82; Hedahl's \$6.50; Howe's Oil \$30,015.80; Interstate Batteries \$108.95; Ken's Alignment \$780.74; Kessler's \$357.70; Lawson Products \$153.16; Leidholt Electric \$133.98; Lien Transportation \$46.50; M-R Sign \$302.81; Marco \$112.33; Menards \$161.67; Midstates Printing \$33.00; Midwest Rubber Stamp \$21.00; North Central Farmer's Elevator \$6786.76; North Star Energy \$59.50; Pierson Ford \$67.94; Schwan Welding \$72.00; SD Bureau of Admin. \$210.13; Christy Serr \$20.00; Sewing Shoppe \$132.00; Sheehan Mack Sales \$4116.93; Specialty Mfg. \$50.75; Steven Lust Automotive \$104.85; Taylor Laundry \$122.00; Tractor Supply \$109.86; Tri-State Water \$30.40; Wallwork Truck Center \$157.42; Zastrow's Sales & Service \$188.00.

Repairs & Maintenance: B & B Contracting \$19,500.00; Crawford Trucks & Equipment \$10.02; Dakota Electronics \$32.50; Diesel Machinery \$8115.00; Graham Tire \$390.80; Hedahl's \$50.00; Ken's Alignment \$485.00; Lawson Products \$12.92; Lien Transportation \$ 192.28; Marco \$68.02; Menards \$208.35; Midwest Pump & Tank \$54.71; Motorola Solutions \$1153.19; Pierson Ford \$137.99; ProBuild \$37.13; Sheehan Mack Sales \$4576.80; Specialty Mfg. \$3.00; Webb Shoe Co. \$95.00.

Publishing: Aberdeen American News \$111.75.

Travel & Conference: Julia Grenz \$34.31; City of Groton \$42.55; Leo Leshner \$182.83; Gene Loeschke \$210.09; Andrea Sjomeling \$23.22.

Utilities: Economy Propane \$ 813.15; James Valley Cooperative \$116.02; Northern Electric \$1260.14; Northern Valley Communication \$972.96; Northern Wireless Communication \$149.90; NorthWestern Energy \$684.92; Town of Frederick \$32.25.

Professional Fees: Avera Queen of Peace \$219.60; Avera St. Luke's \$408.44; Clark Engineering \$1350.00; Helms & Assoc. \$5386.65; Lexis/Nexis Risk Data Mgmt. \$50.00; Lutheran Social Services \$140.00; NE Mental Health Center \$1144.00; SD Assoc. of County Officials \$1616.00; SD Dept. of Revenue \$10,123.49; SD Dept. of Revenue & Regulation \$364,534.81; SDN Technologies \$1337.55.

Care of Poor: Rent: 8 recipients – Danne Inc. \$650.00; Harley G. Schaible, Jr \$300.00; Jency Agency \$300.00; P & H Investments \$260.00; Rockford Apartments \$390.00. Dr./Hospital: 2 recipients – Avera St. Luke's \$35534.96. Medications: 1 recipient – Kmart \$16.00. Utilities: 1 recipient – NorthWestern Public Service \$65.00. Burial: 1 recipient – Schriver's Memorial Mortuary \$792.38.

Election Workers: Laura Adema \$165.00; Linda Aman \$160.00; Sharon Bain \$188.20; Shirley Bender \$160.00; Becky Berreth \$165.00; Bobbie Bierman \$160.00; Alice Bierman \$160.00; Gladys Braun \$160.00; Maureen

Brink \$167.35; Kelly Clark \$165.00; Bonnie Clausen \$165.00; Mavis Cox \$160.00; Mary Cutler \$160.00; Patsy Cutler \$160.00; Sharon Deilke \$165.00; Doris Dennert \$160.00; Carolyn Dinger \$207.00; Phyllis Donat \$165.00; Carol Erdmann \$160.00; Jan Erickson \$165.00; Charlean Erickson \$168.80; Dolly Evans \$165.00; Bonnie Fisher \$160.00; Marilyn Flemmer \$160.00; Peggy Fliehs \$165.00; Joyce Gage \$160.00; Carolyn Gallup \$160.00; Angie Goetz \$160.00; Jeanette Gollnic \$165.00; Ardys Gosch \$165.00; Marilyn Gramlow \$150.00; Joyce Grenz \$165.00; Deb Gustafson \$193.20; Joan Haak \$160.00; Marcia Haaland \$165.00; Arlene Hanson \$160.00; Jean Haselhorst \$160.00; Darleen Haselhorst \$160.00; Joan Henry \$160.00; Julie Hinds \$160.00; Sally Hofer \$160.00; Mavis Hoffman \$160.00; Jill Hostetter \$170.00; Connie Howard \$165.00; Elaine Huff \$165.00; Shirley Jahraus \$160.00; Mary Jane Jark \$150.00; Rebecca Jeschke \$155.00; Diana Kopetsky \$165.00; Rose Kraft \$150.00; Florence Kraus \$167.35; Penny Krogstrand \$165.00; Lucille Kushman \$160.00; Bonnie Lamont \$160.00; Mary Lamont \$160.00; Cyndy Larson \$183.80; Pam Larson \$165.00; Darcey Leshner \$197.60; Bonnie Locken \$160.00; Donna Lout \$165.00; Caroline Lowe \$166.41; Carol Luttrell \$160.00; Donna Marmorstein \$165.00; Gail Marshall \$165.00; Patricia Meink \$160.00; Barbara Michlitsch \$170.00; Linda Miles \$160.00; Evangeline Miller \$160.00; Sharon Mizerny \$160.00; Betty Morris \$160.00; Deb Munger \$180.04; Marlis Nack \$160.00; Dennis Nelson \$165.00; Loretta Neuhardt \$160.00; Lyla Nikolas \$160.00; Janet Norby \$165.00; Dorothy O'Keefe \$161.41; Cindy Olson \$160.00; Becky Omland \$160.00; Gayle Osman \$160.00; Linda Osterloh \$165.00; Carol Osterman \$188.20; Janeen Outka \$160.00; Deb Pagel \$165.00; N. Janis Pearson \$150.00; Pauline Peterson \$160.00; Joyce Pfeiffer \$160.00; Helen Plumage \$160.00; Jean Rahja \$160.00; Kathy Schaunaman \$160.00; Marie Schlosser \$160.00; Eileen Schuelke \$165.00; Geri Sillman \$160.00; Dorothy Smith \$160.00; Evalyn Smith \$165.00; Dallas Solberg \$160.00; Myrna Stange \$150.00; Marlys Suttin \$160.00; Donna Swanhorst \$165.00; Aleda Tollefson \$160.00; Elaine VanDover \$179.10; Kathryn Vitense \$160.00; Barbara Walker \$160.00; Gary Warne \$160.00; Marion West \$160.00; Kathy Williams \$165.00; Edith Wilt \$165.00; May Wylie \$160.00; Diane Zahalka \$167.35; Sharon Zastrow \$165.00. All members present voting aye. Motion carried.

LIBRARY AGREEMENT:

Moved by Elliott, 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 2013 in amount of \$15,000.00. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Elliott to approve the October 2012 Auditor's Report of Account with the County Treasurer in total amount of \$27,585,407.75 (total amount of actual cash @ \$2,159.15, Wells Fargo Bank @ \$3,621.29, US Bank @ \$31,307.03, Dacotah Bank @ \$608,767.50, Petty Cash @ \$2,000.00, Fund Investments @ \$26,935,911.93, Outstanding checks \$1,640.85). All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Elliott, seconded by Fischbach to approve the following October 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

BID – HALL CROSSING:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign Change Order #1(final) for Hall Crossing Project increasing cost of project by \$799.12, for total project cost of \$137,527.62. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to approve and authorize the Chairman to sign Certificate of Final Completion for the Hall Crossing Project, with date of final completion being October 25, 2012. All members present voting aye. Motion carried.

Moved by Elliott, seconded by Fischbach to approve and authorize the Chairman to sign Pay Request #1 for the Hall Crossing Project in amount of \$137,527.62. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Elliott to approve the following Abatements: Todd Weller @ 123.44 (double assessment), Brown County @ \$9.92 (tax deed property), William Schultz @ \$82.41 (mobile home condemned). All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Elliott to approve and authorize the Chairman to sign application, submitted by WEB Water Development for occupancy of Brown County Highway #5 in Sec 1-T127N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until November 20, 2012.

Maxine Fischer, Brown County Auditor

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NOVEMBER 20, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott and Wiese. Commissioner Fischbach was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Elliott, seconded by Hansen to approve the General Meeting Minutes of November 13, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$8,667.83; Treasurer \$11,435.69; Data Processing \$2,138.72; State's Attorney \$13,399.60; SVAWA Grant \$1,269.24; Blood Draws \$520.00; Maintenance \$6,092.32; Assessor \$11,668.03; Register of Deeds \$7,122.24; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Admin \$30,259.08; Jail \$32,443.21; Coroner \$120; JDC \$14,812.37; HD \$4,711.17; Welfare Office \$2,704.89; Museum \$6,128.40; Parks & Fairgrounds \$4,645.43; Fair Board \$2,485.97; 4-H \$1,053.61; Weed \$2,324.00; Planning and Zoning \$2,050.39; Highway \$42,195.52; Communications \$19,532.96; Emergency Management \$2,949.42; Teen Court \$233.15; 24/7 \$2,099.01; Landfill \$12,065.47

Matching Benefits: FICA \$14,841.08; Medicare \$3,470.87; Life \$567.18; Dental \$5,644.80; Health Insurance \$87,763.80; Retirement \$30,374.59

Supplies: Active Data Systems \$321.40; American Health & Safety \$157.02; Ameripride Services \$44.00; B & B Contracting \$137,527.62; Best Business Products \$176.80; CarQuest Automotive \$1287.54; Custom Glass & Repair \$2500.00; Dependable Sanitation \$165.00; Do-All Insulation \$58.00; Engbarth Directional Drilling \$2075.83; Farm Power \$470.40; Les Frohling \$200.00; G & K Services \$175.20; GCR Tire Center \$1093.51; GovConnection \$1001.45; Dorothy Hedges \$250.00; Hoven Auto Repair \$67.98; Howe's Oil Co. \$16,562.50; Interstate Powers \$1997.00; Intoximeters \$103.15; Ron Jacobson \$250.00; Ken's SuperFair Foods \$309.66; McFarland Supply \$111.07; Midstates Printing \$79.00; Myers Tire \$232.87; NB Golf \$7991.00; North Central Farmers Elevator \$19,732.33; NorthStar Safety \$196.94; Pheasantland Industries \$382.36; Photo-X-Press \$118.37; Sherwin Williams \$262.50; Stop & Listen \$811.00; Store Supply Warehouse \$79.52; Tractor Supply Co. \$205.95; Weismantel Rent All \$85.00.

Repairs & Maintenance: Dakota Pump & Control \$1327.04; Engbarth Directional Drilling \$4151.66; GCR Tire Center \$246.90; Service Signs & Sales \$1297.96.

Publishing: Aberdeen American News \$478.28.

Travel & Conference: Maxine Fischer \$57.33; Tom Gohn \$150.94; Julia Grenz \$161.28; Lynn Heupel \$173.57; Kathy Schlecht \$150.94; Andrea Sjomeling \$18.00; Gary Vetter \$18.00; Lisa Wienk \$11.73.

Utilities: Aberdeen City Treasurer \$295.36; Century Link \$3929.19; City of Hecla \$178.90; Dependable Sanitation \$286.00; Executive Mgmt. Finance \$290.38; Northern Electric Coop. \$64.10; NW Energy \$3021.67; Verizon Wireless \$42.41.

Professional Fees: Avera St. Luke's \$3104.80; Denise Cody \$15.00; Language Line Services \$90.05; Lewis & Clark BHS \$447.00; Lucy Lewno \$150.45; Minnehaha County Regional JDC \$245.00; NE Mental Health Center \$858.00; Sanford Clinic \$24.90; Sivertsen Technology \$4600.00; Karen Swanda \$15.00.

Care of Poor: Rent: 2 recipients – E & T Freedom Properties \$300.00; Jency Agency \$260.00. Dr./Hospital: 3 recipients – Aberdeen Surgical Assoc. \$3053.22; AMG Anesthesiology \$80.00; Avera Medical Group Pulmonology \$1087.20; Avera St. Luke's \$9403.42; Orthopedic Surgery Specialists \$399.21. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step increase, effective November 25, 2012: Kyle Crawford @ \$17.93/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve employee status change from part-time to regular part-time for Tanae Hart, effective November 25, 2012 at \$11.15 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Elliott to authorize advertising a temporary full-time position at the Welfare Office. All members present voting aye. Motion carried.

CDBG YMCA PAY REQUEST #1:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Payment Request #1 for CDBG Grant #1112-114 for the YMCA Youth Development Center in amount of \$388,589.09. All members present voting aye. Motion carried.

BID - WELDING EQUIPMENT:

Moved by Elliott, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of welding equipment, in conjunction with CDBG funding for NEWTEC, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on December 11, 2012 at 8:45 a.m. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Hansen, seconded by Elliott to approve the following lease agreement: Chris Salvevold (Becker Evangelistic Free Church) for lease of Richmond Lake Youth Camp November 16-18, 2012. Roll call vote: Commissioners Hansen-aye, Elliott-aye, Fischbach-absent, Wiese-nay, Sutton-aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Elliott to approve the following Abatements: Jeffrey Greger @ \$460.44 (MH moved), Arrow Enterprises @ \$206.95 (MH moved). All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Elliott, seconded by Hansen to approve the following General Fund Surplus Cash Analysis Report: September 2012 @ \$2,231,628.37 (14.93%). All members present voting aye. Motion carried.

ORDINANCE 079:

Moved by Wiese, seconded by Hansen to approve First Reading of Ordinance #079, An Ordinance to amend Title 3 of the Second Revision Brown County Ordinances- Solid Waste Management System, as amended. All members present voting aye. Motion carried.

DELTA DENTAL RATES:

Moved by Hansen, seconded by Elliott to approve the 2013 Delta Dental Rates for employee dental insurance: \$37.00 Single, \$69.82 Two-Party and \$110.38 Family. All members present voting aye. Motion carried.

24/7 SOBRIETY PROGRAM:

Sheriff Mark Milbrandt and Chief Jailor Craig Nelson met before the Commission to discuss the 24/7 Sobriety Program.

Moved by Wiese, seconded by Hansen to accept \$16,571.00 in Grant funding from AG's 24/7 Fund for 24/7 staff which covers a Part-time employee to oversee the program @ \$11.35/hr (4 hrs/day). All members present voting aye. Motion carried.

WARNER TOWNSHIP:

Darwin Bettman and Jerrod Bossly, Warner Township Officials, met before the Commission to discuss replacing culverts in the Warner Township. After discussion the Commission took no action on the request.

EXECUTIVE SESSIONS:

Moved by Hansen, seconded by Elliott to go into executive session to discuss possible litigation. All members present voting aye. Motion carried.

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

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until November 27, 2012.

Lisa Wienk, Brown County Deputy Auditor

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NOVEMBER 27, 2012 - JOINT ABERDEEN CITY/BROWN 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 Campbell, Mitchell, Remily, Slaughter-Hansen and Mayor Levsen. Absent were Council Members Agnitsch, Bunsness, Rux, and Swanson. Present from County were Commissioners Hansen, Fischbach, Wiese and Sutton. Absent Commissioner Elliott.

ORDINANCE 12-11-01/412:

On Motion by Campbell, seconded by Mitchell, the City unanimously voted to approve First Reading Ordinance No. 12-11-01/412 (Ross Rezone).

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 12-11-01/412, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 14 Auditor's Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD, (2208 135th Street SW). All members present voting aye. Motion carried.

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

Lisa Wienk, Brown County Deputy Auditor

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NOVEMBER 27, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Commissioner Elliott was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting Minutes of November 20, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: A & B Business Inc. \$16.80; Advance Auto Store \$9.99; Al-Shar Holsteins \$52.50; Amerpride Services Inc. \$60.24; Kaitlyn Anderson \$5.00; Hailey Bruckner \$31.50; Carly Crawford \$10.50; Dakota Fluid Power Inc. \$524.16; Dosch's TMD Katahdins \$21.00; Marin Ehrmantraut \$10.50; Colin Frey \$27.50; Dylan Frey \$52.50; Fritz Bruckner Montadale \$146.50; Ben Galbreath \$28.50; Geffdog Designers \$417.50; Chris Goldade \$21.00; GovConnection Inc. \$126.52; Chance Hassebrook \$43.00; HC Clark Implement Co Inc. \$10.41; Jan Houghtaling \$124.50; Howes Oil Co. \$8607.00; Brenna Johnson \$38.50; Jake Krohmer \$33.50; Leidholt Electric LLC \$69.55; Marco Inc. \$394.08; Midcontinent Communications \$53.86; Hanna Miller \$7.50; Dylan Nohner \$122.00; Sheilina Nohner \$28.50; Pizza Ranch \$66.97; Shari Rossow \$157.50; Justin Sanderson \$7.50; Dan Sharp \$10.50; Travis Sharp \$10.50; Letitia Smith \$28.50; Brody Sombke \$18.00; Wyatt Sombke \$46.00; Spot Freight \$1585.00; State Bar of South Dakota \$150.00; Thyne Farms \$79.50; Jerry Tollefson \$38.50; US Bank \$11,461.91; West Payment Center \$1,444.60; Wolff Suffolk's \$109.50; Wolkow Family \$256.50

Repairs & Maintenance: Ben Hofer Backhoe Service \$1298.66; Farm Power MFG Inc. \$50.00; Leidholt Electric LLC \$232.49; Overhead Door \$1182.35; Service Signs & Sales \$2750.00; Sivertsen Technology Inc. \$318.00; Swanston Equip Corp \$3168.00; US Bank \$2129.98

Travel & Conference: Best Western Ramkota Hotel \$367.96; Sara Hagman \$170.28; Justin Salo \$18.00; US Bank \$1672.60; Mark Wendt \$18.00

Utilities: AT & T \$42.97; Century Link \$9.90; Montana Dakota Utilities Co \$23.91; Northwestern Energy & Communications \$1539.74

Professional Fees: Avera St Lukes \$444.14; Christopher Dohrer \$5770.83; Great Plains Psychological SE \$3180.00; Kuck Law Office \$5520.83; Gina Rogers \$5520.83; Sanford Health \$88.63; Nancy Schlichenmayer \$65.40; Christy Serr \$5770.83; US Bank \$789.09; West Payment Center \$124.19

Care of Poor: Dr./Hospital: 3 recipients – Avera St Lukes \$19373.50. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of October 2012: Jan Weismantel – 72 @ \$39.96, Marcus Selzler – 147 @ \$81.59, Kendell Titze – 120 @ \$66.60, Mark Wendt 480 @ \$266.40, Michael Scott – 210 @ \$116.55, Gary Vetter - 119 @ \$66.05. All members present voting aye. Motion carried

Moved by Hansen, seconded by Fischbach to approve hiring Christine Haggarty as full-time Dispatcher for Communications, effective December 3, 2012 at \$13.62 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to acknowledge resignation of Nancy Radke (Communications), effective December 7, 2012. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring James Petrich as full-time Chief Dispatcher for Communications, effective December 3, 2012 at \$15.41 per hour. All members present voting aye. Motion carried.

RESCIND RESOLUTION #39-11:

Moved by Wiese, seconded by Hansen to rescind Resolution #39-11 in its entirety, as adopted May 17, 2011, to facilitate SDCL 34-20B-58 thru 60. All members present voting aye. Resolution #39-11 rescinded.

OPERATING TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the following operating transfers in total amount of \$1,640,814.52, as reflected in the 2012 General Fund #101 Budget (101-5.911.191): Road and Bridge Fund #201-4.371 @ \$1,600,000.00; E911 Fund #207-4.371 @ \$.90; EM Fund #226-4.371 @ \$40,813.62. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Wiese to increase spending authority and estimated revenue in the following funds for unanticipated reimbursement for expenditures: Fund #248-5.212.426 and #248-4.334 @ \$8,500.00 (24/7 Sobriety Grant); Fund #101-5.512.426 and #101-4.339 @ \$12,000.00. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

Resolution #91-12.

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Valley View Acres Subdivision in NW ¼ Sec 10-T123N-R64W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #92-12.

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mark Erickson's First Subdivision in SW ¼ Sec 17-T122N-R62W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #93-12.

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Bindenagel Second Richmond Lake Subdivision in NW ¼ of Sec 25-T124N-R65W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #94-12.

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Randy Stanley Replat of Stanley's Outlot 1 in SW ¼ of Sec 13-T125N-R61W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #95-12.

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Shirley J. Smith Tracts in the NW ¼ of Sec 7-T122N-R63W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #96-12.

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hofer Tract 1 in the S ½ SW ¼ of Sec 13-T123N-R65W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

LEASE AGREEMENT:

Moved by Fischbach, seconded by Wiese to approve the following lease agreement: Nancy Evangelisto for lease of Richmond Lake Youth Camp on November 22, 2012. Roll call vote: Commissioners Hansen-nay, Elliott-absent, Fischbach-aye, Wiese-aye, Sutton-aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Hansen to approve the following Solid Waste Abatement: Aberdeen City @ \$21.00 (Tax Exempt). All members present voting aye. Motion carried.

ORDINANCE 079:

Moved by Hansen, seconded by Wiese to approve Second Reading and Adoption of Ordinance #079, An Ordinance to amend Title 3 of the Second Revision Brown County Ordinances- Solid Waste Management System, as amended. Roll call vote: Commissioners Hansen-aye, Elliott-absent, Fischbach-aye and Sutton-aye. Ordinance adopted.

JACKSON COUNTY IMPROVEMENT DISTRICT 1 PROJECT:

Gary Vetter, Planning/Zoning Administrator, requested expenditure of \$500 for Clark Engineering to conduct an initial impact assessment on Brown County by the proposed Jackson County Improvement Project (Oakes ND). Board concurred.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent, gave the Commission updates on blading and current projects.

RECESS:

The Chairman declared the Commission recessed until December 4, 2012.

Lisa Wienk, Brown County Deputy Auditor

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DECEMBER 4, 2012 - JOINT ABERDEEN CITY/BROWN 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, Campbell, Mitchell, Slaughter-Hansen and Mayor Levsen. Absent were Council Members Bunsness, Remily, Rux, and Swanson. Present from County were Commissioners Hansen, Fischbach, Wiese and Sutton. Absent Commissioner Elliott.

ORDINANCE 12-11-01/412:

On Motion by Campbell, seconded by Slaughter-Hansen, the City unanimously voted to adopt Ordinance No. 12-11-01/412 (Ross Rezone).

Moved by Fischbach, seconded by Wiese to adopt Ordinance No. 12-11-01/412, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 14 Auditor's Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD (2208 135th Street SW). Roll call vote: Commissioners Hansen-aye, Elliott-absent, Fischbach-aye, Wiese-aye, Sutton-aye. Ordinance adopted.

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

Lisa Wienk, Brown County Deputy Auditor

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DECEMBER 4, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Commissioner Elliott was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint Aberdeen City/County Meeting Minutes and the General Meeting Minutes of November 27, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$3,293.66; Auditor \$8,419.50; Treasurer \$11,435.67; Data Processing \$2,478.66; State's Attorney \$12,872.24; SVAWA Grant \$1,269.24; Blood Draws \$360.00; Maintenance \$6,036.52; Assessor \$11,668.03; Register of Deeds \$7,169.43; Veterans Service Office \$3,383.99; GIS \$2,005.23; Sheriff Admin \$29,991.18; Jail \$34,017.69; Coroner \$0; JDC \$15,712.85; HD \$4,919.39; Welfare Office \$2,952.17; Museum \$6,128.40; Parks & Fairgrounds \$3,935.84; Fair Board \$2,541.95; 4-H \$1,053.60; Weed \$124.64; Planning and Zoning \$2,063.07; Highway \$40,071.16; Communications \$22,640.24; Emergency Management \$2,973.42; Teen Court \$0; 24/7 \$2,147.79; Landfill \$11,566.43

Matching Benefits: FICA \$15,742.08; Medicare \$3,681.60; Life \$583.38; Dental \$5,803.56; Health Insurance \$90,226.11; Retirement \$45,808.87

Supplies: Bakken Build Maintenance \$500.00; Brick TV & Appliance \$5800.15; Butler Machinery \$96.04; CMRS-FP \$5000.00; Crawford Trucks & Equipment \$1226.82; Custom Glass & Repair \$327.52; Dakota Mailing & Shipping \$271.95; Dakota Supply Group \$45.87; Dex Media East \$52.00; Elections Systems/Software \$2101.36; Farmer's Union Coop \$20.00; Fastnel \$116.98; Gillund Enterprises \$179.76; GovConnection \$129.54; Great Western Tire \$3546.12; Jason's Electric \$470.35; Lar-Jo's \$157.60; Larson Blacksmith \$73.43; Lawson Products \$306.41; Mac's \$196.42; Menards \$2.72; Midstates Printing \$281.00; Midwest Rubber Stamp \$362.00; Myers Tire \$79.99; PowerPlan \$236.75; Quality Welding \$2.60; Running's \$44.05; Titan Machinery \$381.59; Jeff Vilhauer \$2040.82; West Payment Center \$87.00.

Repairs & Maintenance: Bureau of Information \$2250.00; Crawford Trucks & Equipment \$425.78; Gillund Enterprises \$6.00; Larson Blacksmith \$60.00; Lawson Products \$22.75; Myers Tire \$15.61; Pro Ag Supply \$1070.35; Quality Welding \$25.00; Reuer Auto Service \$174.20; Service Signs \$1785.72; Titan Machinery \$1.00.

Publishing: Aberdeen American News \$348.14; Groton Independent \$435.10.

Transcriptions: Tammy Erickson \$21.00; Michelle Gaikowski \$34.20; Shepherd Reporting \$27.50.

Travel & Conference: Best Western Plus Ramkota Hotel \$3774.00; Duane Jark \$15.00; Jerry Lehrkamp \$15.00; Leo Leshner \$418.77; Gene Loeschke \$251.45; Mike Rohrbach \$15.00; Dennis Wiedebush \$15.00.

Utilities: Aberdeen City Treasurer \$139.47; AT & T Mobility \$2331.15; BDM Rural Water \$30.00; Marco \$263.63; Midcontinent Communications \$318.86; Northwestern Energy \$234.02; Sivertsen Technology \$369.00; Web Water \$82.40.

Professional Fees: Aberdeen Chamber of Commerce \$285.00; Aberdeen City Treasurer \$30,281.72; Adamsoft \$5000.00; B & B Contracting \$6836.43; Blackburn & Stevens, Prof. LLC \$217.29; Allie Carlsen \$40.00; Clark Engineering \$6600.87; Dalager Engineering \$2062.50; Tammy Erickson \$48.00; Kennedy Pier & Knoff LLP \$305.20; Leggette, Brashears & Graham \$274.85; SD Dept. of Transportation \$34,706.26; Sivertsen Technology \$3900.00.

Machinery & Equipment: Wausau Equipment Co. \$14,251.00.

Care of Poor: Rent: 3 recipients – Carrels Rental Properties \$250.00; Jency Agency \$280.00; Zumbaum Property Management \$260.00. Dr. /Hospital: 7 recipients – AMG Anesthesiology \$352.00; AMG Group Radiology \$155.48; Avera St. Luke's \$18,061.50; Northern Plains Oral Surgery \$368.46. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve the following employee step increases, effective December 9, 2012: Russell Metz @ \$17.00/hr, Lora Shaunaman @ \$14.34/hr, Carol White @ \$14.29/hr. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Katie Tempel as part-time employee for 24/7 Sobriety Program, effective November 27, 2012 at \$11.15/hr. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve overtime hours for Auditor's Office and Register of Deeds Office for proofing new lien software. All members present voting aye. Motion carried.

ELECTION SOFTWARE AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize Maxine Fischer sign an Election Agreement between Brown County and the Secretary of State's Office for purchase and implementation of TotalVote software and related hardware (statewide voter registration system), to be funded by State and County HAVA funds (Help America Vote Act). All members present voting aye. Motion carried.

NECOG AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Joint Cooperative Agreement with NECOG for 2013 in amount of \$22,431.64. All members present voting aye. Motion carried.

ABATEMENT/RESCIND:

Moved by Wiese, seconded by Fischbach to rescind the following abatement from the General Meeting of November 27, 2012: "Moved by Wiese, seconded by Hansen to approve the following Solid Waste Abatement: Aberdeen City @ \$21.00 (Tax Exempt)." All members present voting aye. Motion carried.

BCCHC CONTRACT:

Moved by Wiese, seconded by Hansen 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 2013 in amount of \$18,540.00. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT 2012:

Moved by Hansen, seconded by Wiese to authorize public hearing to be held on the 26th day of December, 2012 beginning at 8:45 a.m. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, SD to consider supplementing the 2012 fiscal year budget, as follows: Brown County Fair Sponsorships - #101-5.524.426 @ \$58,750.00, to be funded by sponsorships received #101-4-345.50 @ \$58,750.00; Road & Bridge - #201-5.311.411 @ \$54,000.00 (salaries and wages), #201-5.311.415 @ \$46,000.00 (group insurance), #201-5.311.426.31 @ \$300,000.00 (supplies), to be funded by undesignated surplus cash in the General Fund #101-1.101.99 @ \$400,000.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session to discuss personnel with Stu Swenson, Gordon Nelson, Conald Burgard, Joe Akkerman, Mike Russel, Rachel Kippley and Larry Lovrien in attendance. All members present voting aye. Motion carried.

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

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign the following application: Northern Electric for occupancy of Brown County Road 10 Sec 23-T127N-R64W, Brown County, SD to provide service. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Hansen, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$1500.00 down and \$300.00 per month, effective January 30, 2013 on E 100' Lt 5 Blk 14 Thomas Addition. All members present voting aye. Motion carried.

Moved by Wiese, 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 \$4380.00 down and \$200.00 per month, effective January 30, 2013 on LT 2 Blk 3 Green Meadows Addition Warner. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss personnel with Rachel Kippely and Larry Lovrien in attendance. All members present voting aye. Motion carried.

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

Moved by Wiese, seconded by Hansen to authorize advertising a full-time position for a Commission Assistant at a pro-rated annual salary of \$45,000.00 plus benefits. Roll call vote: Commissioners Hansen-aye, Elliott-absent, Fischbach-nay, Wiese-aye, Sutton-aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until December 11, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

DECEMBER 11, 2012 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the Joint Aberdeen City/County Meeting Minutes and the General Meeting Minutes of December 4, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: 446-Praxair Distribution \$119.01; A & B Business \$334.21; Aberdeen Plumbing/Heating \$1135.98; Academy Trophy & Engraving \$66.00; AxMen \$1560.96; Dakota Electronics \$1842.80; Dakota Oil \$368.35; EarthGrains \$389.41; Ecolab Pest Elimination \$87.98; Fire Safety First \$32.00; Geffdog Designers \$123.96; GovConnection \$203.18; Graham Tire \$6944.95; Howe's Oil \$24, 299.80; Hub City Radio \$300.00; Interior Design Concepts \$198.00; Interstate Battery System \$128.95; JCL Solutions \$215.20; Ken's Alignment \$124.80; Ken's SuperFair Foods \$13.24; Lar-Jo's \$396.01; Leidholt Electric \$198.57; Marco \$71.02; Metro Fire \$5008.03; Micks Scuba \$994.74; Midstates Printing \$978.30; Moore Medical \$772.63; North Central Farmer's Elevator \$8177.20; NorthStar Safety \$198.87; Pierson Ford \$470.38; ProBuild \$75.32; Quality Welding \$396.34; Quill Corporation \$114.74; Runnings Farm & Fleet \$99.99; SD Federal Property Agency \$156.50; Sewing Shoppe \$7.00; Sheehan Mack Sales \$591.14; Sherwin Williams \$36.59; Sivertsen Technology \$62.00; Superior Diving Repair \$633.00; Taylor Laundry \$104.00; Tri-State Water \$60.80; Kristi Vetter \$5.26; West Payment Center \$614.04; Zastrow's Sales & Service \$180.10.

Repairs & Maintenance: Dakota Oil \$520.75; Frey's Electronics \$352.27; Geospatial Experts \$198.00; Graham Tire \$454.20; Karst Car Care \$37.40; Motorola Solutions \$1153.19; Pierson Ford \$319.60; PowerPlan \$2111.82; Safety Service \$1355.63; Sheehan Mack Sales \$1912.87; Speciality Mfg \$769.29.

Rentals: Frey's Electronics \$240.38.

Publishing: Aberdeen American News \$282.71.

Travel & Conference: City of Groton \$63.64; Dietrich of Aberdeen \$1772.00; Town of Frederick \$35.05; Lynn Heupel \$181.57; Sonje Oban \$89.00; Amy Scott \$113.00; Patti Woods \$65.80.

Utilities: Aberdeen City Treasurer \$967.53; James Valley Cooperative \$357.02; Marco \$367.24; Midcontinent Communications \$53.86; Midwest Alarm \$51.50; Northern Electric \$162.00; Northern Valley Communications \$1152.45; NorthWestern Energy \$8488.38.

Professional Fees: Avera St. Luke's \$120.00; Blue Earth County Sheriff's \$65.00; Tammy Erickson \$48.00; Lutheran Social Services \$70.00; Michael Moore \$1733.27; Safe Harbor \$1466.00; SD Assoc. of County Officials \$1578.00; SD Dept. of Revenue & Regulation \$468,746.77; SD Human Services Center \$600.00; Kristi Spitzer \$435.00; WIN Interactive \$5000.00; Yankton County Treasurer \$746.75; Luke Yellow Robe \$1863.36.

Care of Poor: Rent: 3 recipients – Aberdeen Housing Authority \$216.00; Danne \$260.00; P & H Investments \$260.00. Dr. /Hospital: 2 recipients – Aberdeen Surgical Associates \$875.17. Transport: – 3 recipients – Jefferson Lines \$242.00. Burials: - 1 recipient – Schriver's Memorial Mortuary \$1000.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Elliott to acknowledge Logan Gauer working for Register of Deeds through the Project Skills Program. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to acknowledge Christine Noble working for Register of Deeds through Experience Works. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge Steven Ays working for Assessor's Office through the Project Skills Program. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the following employee classification change, effective January 7, 2013: Jesse Milbrandt from step 4 Jailer to step 8 Sherriff's Department Clerical & Cooks at \$14.74 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Kerry Dawson as temporary full-time employee at the Welfare Office, effective December 12, 2012 at \$10.51 per hour. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL:

Moved by Hansen, seconded by Elliott 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). Stacy Gossman DBA Big Fella's (Lot 1B Gossman 1st Addn S ½ of 15-123-63). Dennis O Jones DBA Dakota River Ranch/Tacoma Park Place (5 acres in NE corner of NW ¼ of 23-124N-62W). P'ZA Inc DBA Anchors Away Lodge & Resort (Palmer's Richmond Resort Subd Lt 1, Subd OL 1 Richmond OL 1 & 2). All members present voting aye. Motion carried.

OPERATING TRANSFER:

Moved by Fischbach, seconded by Wiese to approve and authorize the following operating transfer in total amount of \$1,055,994.40 as reflected in the 2012 General Fund #101 Budget (101-911-191) \$1,055,994.40 to Highway Fund #201-371. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the November 2012 Auditor's Report of Account with the County Treasurer in total amount of \$17,258,175.27 (total amount of actual cash @ \$3,704.00, Wells Fargo Bank @ \$3,621.29, US Bank @ \$24,510.58, Dacotah Bank @ \$380,009.88, Petty Cash @ \$2,000.00, Fund Investments @ \$16,844,233.52, Outstanding checks \$96.00). All members present voting aye. Motion carried

POOR RELIEF:

Commissioner Wiese offered the following Resolution:

RESOLUTION #97-12

WHEREAS, Brown County has filed a Poor Relief Lien with a balance due in amount of \$30,275.00, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon payment of individual's interest in the property, less probate expense of \$2,000.00 and on condition that the lien balance remain filed against the individual.

NOW, THEREFORE BE IT RESOLVED that the following real properties, which are described as follows:

Lot 2, Block 1 of the Replat of Blocks 1 and 2 Golden West Addition to Aberdeen,
Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of individual's interest in the property, less probate expense of \$2,000.00 and that the lien balance remain filed against the individual.

Dated this 11th day of December 2012.

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

HLS PROPERTY TRANSFERS:

Moved by Elliott, seconded by Wiese to approve and authorize the Chairman sign the following Homeland Security Transfer Documents: Aberdeen Police Department, Warner Fire Department, Brown County Highway Department, Aberdeen Regional Airport, Brown County Sheriff. All members present voting aye. Motion carried

LEASE AGREEMENT:

Moved by Wiese, seconded by Elliott to approve and authorize the Chairman sign the following lease agreement: First United Methodist Church for lease of Richmond Lake Youth Camp on December 9, 2012. All members present voting aye. Motion carried.

BID – CDBG WELDING EQUIPMENT:

Time and place, as advertised to open, read and consider bids for welding equipment for NewTec – funded by CDBG. Bid was received from Evergreen Supply (only bid received). Moved by Wiese, seconded by Elliott to refer bid to NewTec for review and recommendation. A substitute motion was offered: Moved by Wiese, seconded by Elliott to award bid (contingent upon approval by NewTec Board), submitted by Evergreen Supply for furnishing and delivery of welding equipment in total amount of \$89,684.12 (less discount for demo, if available) to be funded by a Community Development Block Grant. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Elliott to go into executive session to discuss personnel with Sue Gates, Rachel Kippley and Larry Lovrien in attendance. All members present voting aye. Motion carried.

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

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session to discuss personnel with Larry Lovrien and Rachel Kippley in attendance. All members present voting aye. Motion carried.

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

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign the following application: NorthWestern Energy for occupancy of Brown County Road 19 Sec 8 & 9-T123N-R63W, Brown County, SD to provide natural gas service. All members present voting aye. Motion carried.

BID – MOTOR GRADER:

Moved by Fischbach, seconded by Wiese to award bid, submitted by RDO (Hand County Bid dated December 4, 2012) for furnishing and delivery of a 2013 John Deere Motor Grader from Hand County Bid for Highway Department in amount of \$262,500.00 (net after deduct for machine hours). All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until December 18, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

DECEMBER 18, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Elliott, Fischbach and Wiese. Commissioner Sutton led the Pledge of Allegiance, followed by a moment of silence in remembrance of the victims of the New Town, CT tragedy.

YEARS OF SERVICE:

The Commission acknowledged Burt Elliott and thanked him for his years of service to the County and for serving as Commissioner.

MINUTES:

Moved by Elliott, seconded by Fischbach to approve the General Meeting Minutes of December 11, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners \$3,293.66; Elections \$50.66; Auditor \$8,329.36; Treasurer \$11,440.55; Data Processing \$2,650.87; State's Attorney \$12,872.22; Blood Draws \$400.00; SVAWA Grant \$1,269.24; Maintenance \$6,003.04; Assessor \$11,668.03; Register of Deeds \$7,169.44; Veterans Service Office \$3,384.00; GIS \$2,005.23; Sheriff Adm \$29,247.18; Jail \$31,023.68; Coroner \$1,170; JDC \$14,703.20; HD \$4,282.82; Welfare Office \$3,188.84; Museum \$6,063.36; Parks & Fairgrounds \$3,887.33; Fair \$2,485.97; 4-H \$1,053.60; Weed \$0; Planning and Zoning \$2,050.39; Highway \$38,786.99; Communications \$23,542.34; Emergency Management \$2,973.42; Teen Court \$713.57; 24/7 Sobriety \$2,057.19; Landfill \$10,848.06; Matching Benefits: FICA \$14,283.15, Medicare \$3,340.45

Supplies: A & B Business \$19.36; Aberdeen Awards \$36.00; Aberdeen Clean-All \$343.00; Active Data Systems \$338.56; Ameripride Services \$215.61; Best Business Products \$176.80; Brown County Treasurer \$101.00; CarQuest Auto Parts \$894.29; Cash-Wa Distributing \$4922.98; Civic Research Institute \$179.95; CMRS-FP \$5000.00; Crescent Electric Supply \$101.40; Dakota Fluid Power \$20.51; Dakota Pump & Control \$320.41; Ecolab Pest Elimination \$98.27; EverGreen Supply \$34.70; Exchange Club of Aberdeen \$441.00; Fastenal Co. \$122.38; Gardner Locksmithing \$65.00; Glas Consulting \$225.00; GovConnection \$647.83; Honeywell \$4204.00; Ken's SuperFair Foods \$1274.48; Kessler's \$355.33; Liedholt Electric \$56.12; Marco \$295.57; McFarland Supply \$333.20; Menards \$166.37; Metro Fire \$296.87; Myers Tire \$6.09; North Central Farmer's Elevator \$6716.03; North Star Energy \$56.00; Sonje Oban \$289.87; Pheasantland Industries \$399.88; Photo-X-Press \$2.85; ProForma \$327.60; Sherri Rawstern \$38.82; Riddle Jewelry \$100.00; SD Association of Fairs \$200.00; SD Dept. of Transportation \$2153.84; Swanson Electric \$1020.41; Tractor Supply \$7.45; West Payment Center \$1357.60.

Repairs & Maintenance: Dakota Fluid Power \$1160.48; DNA Auto Specialists \$136.99; G & K Services \$219.56; GCR Tire Center \$390.70; Graham Tire \$37.00; Myers Tire \$8.90; Palmer Distributing \$120.80; Wright & Sudlow \$3133.90; WSI Internet Marketing \$300.00.

Transcripts: Kristi Brandt \$44.20; Sara Zahn \$46.80.

Publishing: Aberdeen American News \$1243.59; Groton Independent \$877.03.

Travel & Conference: Conald Burgard \$236.00; Kathy Fischer \$204.92; Barry Kusler \$148.05; Leo Leshner \$240.17; Gene Loeschke \$93.53; Russell Metz \$490.21; Safety Benefits \$390.00; Amy Scott \$214.00.

Utilities: Aberdeen City Treasurer \$297.52; CenturyLink \$3953.47; Dependable Sanitation \$23,528.86; Economy Propane \$1143.45; Executive Mgmt Finance Office \$306.33; City of Hecla \$167.83; Northern Electric \$1525.46; Northern Valley Communications \$295.00; Northern Wireless Communications \$149.90; NW Energy \$5245.19; Verizon Wireless \$35.13.

Professional Fees: Adamsoft \$2000.00; Brown County Sheriff's Office \$80.79; Holloway Construction \$4101.85; Language Line Services \$90.00; Lexis/Nexis Risk Data Mgmt. \$50.00; NE Mental Health Center \$962.00; Sanford Health \$83.00; SD Dept. of Transportation \$1229.46; Sivertsen Technology \$4600.00.

Care of Poor: Rent: 2 recipients – Aberdeen Mobile Home Park \$245.00; Zumbaum Property Mgmt. \$300.00. Dr. /Hospital: 2 recipients – AMG Anesthesiology \$64.00; Sanford Clinic \$8145.28.

Medications: – 2 recipients – Kessler's \$149.05; Kmart \$16.00. Utilities: 4 recipients – Aberdeen City Treasurer \$264.72; Northern Electric \$300.00; NW Public Service \$185.78. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective December 23, 2012: Kathy Schlecht @ \$17.56/hr, Charles Gruenstein @ \$13.72/hr, Adelaide Mouna @ \$13.95/hr. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Shaun Arsaga as blood draw technician for Sheriff's Department effective December 12, 2012, due to resignation of Christine Kusler. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to acknowledge resignation of States Attorney Kimberly Dorsett, effective December 21, 2012; acknowledge Larry Lovrien as States Attorney, effective December 21, 2012 @ pro-rated annual salary of \$72,500. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Chief Deputy States Attorney Chris White @ pro-rated annual salary of \$60,000; Deputy States Attorney Chad Locken @ pro-rated annual salary of \$40,000; Deputy States Attorney Karly Winter @ pro-rated annual rate of \$40,000; Part-time Victims Assistant Jodi Brown @ pro-rated annual rate of \$13,785, effective December 21, 2012. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Elliott to increase spending authority and estimated revenue in the following fund for unanticipated revenue/expenditure: Fund #101.4.331.97 @ \$37,437.59 – STOP Grant Revenue Budget; and Fund #101-5.152.411 @ \$28,557.90, #101-5.152.412.01 @ \$1,770.53, #101-5.152.412.02 @ \$414.00, #101-5.152.413 @ \$1,713.40, #101-5.152.426 @ \$2,708.46, #101-5.151.427 @ \$2,273.30 – STOP Grant Expenditure Budget. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Wiese to approve the following November 2012 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

CENTENNIAL VILLAGE ANNUAL REPORT:

Kurt Smith, Fairgrounds Manager, and Amy Scott, Fair Manager, presented the 2012 Centennial Village Annual Report.

FAIR BUDGET:

Amy Scott, Sonje Oban, Randy Crawford, Conald Burgard, Sea Atwood, Davin Johnson, Stu Swenson and Matt Scott discussed the 2012 Brown County Fair Budget. Kurt Smith was also in attendance.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Elliott to go into executive session to discuss contracts and personnel with Kim Dorsett and Rachel Kippley in attendance. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until December 26, 2012.

Lisa Wienk, Brown County Deputy Auditor

Published once at the total approximate cost of \$_____.

DECEMBER 26, 2012 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Commissioner Elliott was absent. Commissioner Sutton led the Pledge of Allegiance.

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting Minutes of December 18, 2012. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: 446-Praxair \$76.17; A & B Business \$172.65; Aberdeen Community Theater \$400.00; Aberdeen Plumbing & Heating \$465.66; Aberdeen Rural Firefighters \$170.00; Ad Dept. \$164.00; Br. Co. Bar Assoc. \$75.00; Br. Co. Treasurer \$4849.01; Butler Machinery \$1297.61; CarQuest Auto Parts \$354.39; Crawford Trucks & Equipment \$895.03; Crescent Electric \$57.85; D & L Diesel \$1754.78; Dakota Electronics \$21,770.46; Dakota Fluid Power \$588.15; Dakota Oil \$69.25; Dakota Supply Group \$778.40; Dex Media East \$52.00; Digital Alley \$820.00; Double 'T' Truck Stop \$33.25; DPM Petty Cash \$32.76; DT Pharmacy \$121.45; E.R.C. Inc. \$110.00; Farm Power Mfg. \$332.60; Fastenal Co. \$256.22; Foy's Pigeon Supplies \$2493.62; Full Circle Ag \$943.52; Geffdog Designers \$150.78; GovConnection \$5580.81; Great Western Tire \$36.00; Holland Auto Care \$87.14; Honeywell \$18,612.00; Howe's Oil Co. \$27,326.42; Integrated Tech & Security \$18,982.97; Interstate Battery System \$108.95; Jason's Electric \$6978.14; Ken's SuperFair Foods \$251.37; Lang's Audio TV & Appliance \$541.99; Lawson Products \$241.25; Mac's \$52.19; Malchow's \$676.00; Marco \$254.58; Mark Bartusis \$250.00; Menard's \$1758.42; Michael Merkel \$21.06; MidStates Printing \$1588.75; Mobile Electronic Service \$5000.00; Myer's Tire \$22.45; Nelson Sales & Service \$15.33; One Letter Promotions \$230.38; PowerPlan \$1810.60; Running's \$338.83; SD Law Review \$33.02; Lora Schaunaman \$74.84; Christy Serr \$20.64; Sewing Shoppe \$4.00; Sheehan Mack Sales \$360.34; Sivertsen Technology \$1230.00; Stratford Fire Department \$1560.96; Taylor Laundry \$45.00; Titan Machinery \$48.46; US Bank \$5228.14; West Payment Center \$24.96; Carol White \$500.00.

Repairs & Maintenance: Auto Glass Solutions \$40.00; Crady's Radiator Shop \$150.00; D & L Diesel \$982.50; Dakota Electronics \$42,465.25; Farm Power Mfg. \$12.00; Farnam's Genuine Parts \$6.30; Frey's Electronics \$352.27; G & K Services \$131.78; Graham Tire \$229.05; Integrated Tech & Security \$45,504.07; Myer's Tire \$13.90; Nelson Sales & Service \$35.00; Overhead Door \$450.00; Pierson Ford \$51.45; Steven Lust Automotive \$189.00; Titan Machinery \$26.85; US Bank \$2882.92.

Transcripts: Shephard Reporting \$27.50.

Publishing: Aberdeen American News \$504.21; Dakota Press \$4165.22; Groton Independent \$174.90.

Travel & Conference: Stan Beckler \$19.74; Darwin Bettmann \$14.10; Tom Fischbach \$113.74; Duane Jark \$50.76; Patrick Keatts \$33.84; Troy Knecht \$73.32; Dale Kurth \$107.16; David North \$107.16; Pizza Ranch \$60.00; Jerome T. Streckfuss \$36.66; Duane Sutton \$216.74; US Bank \$1598.34; Dennis Wiedebush \$33.84; Mike Wiese \$18.80.

Utilities: AT & T Mobility \$210.44; CenturyLink \$55.93; Economy Propane \$1145.50; Midcontinent Communications \$372.72; Montana Dakota Utilities \$23.78; Northern Electric \$100.00; NW Energy \$8999.05; Amy Scott \$393.10; US Bank \$920.40; Web Water \$147.05.

Snow Removal: Lien Transportation \$1015.00.

Other: James River Water District \$22,282.26; NE Council of Government \$15,000.00; US Bank \$531.62.

Computer Equipment: US Bank \$458.00.

Professional Fees: AMG Psychiatry \$141.21; AMG Radiology \$358.80; Avera St. Luke's \$17,389.75; Jeffrey Banks \$254.80; Clark Engineering \$500.00; Denise Cody \$15.00; Compass Counseling & Assessment \$1750.00; Christopher Dohrer \$5770.83; Marv Ekeren \$15.00; Tammy Erickson \$168.00;

Grand County Sheriff \$20.00; Kandiyohi Co. Sheriff \$54.40; Kuck Law Office \$5520.83; Leggette, Brashears & Graham \$3666.55; Lewis & Clark BHS \$149.00; Lucy Lewno \$150.45; MedTox Laboratories \$92.27; NE Mental Health Center \$21,810.00; Pollard & Larson \$170.00; Redwood Toxicology Laboratory \$240.00; Gina Rogers \$5520.83; Sanford Health \$316.37; Christy Serr \$5770.83; SD Dept. of Revenue \$1161.00; Sivertsen Technology \$5550.00; West Payment Center \$124.19; Yankton Co. Sheriff \$25.00; Luke Yellow Robe \$1500.00.

Care of Poor: Rent: 8 recipients – Tom Appletoft \$280.00; Beachair Enterprises \$200.00; Danne Inc. \$200.00; Lakeside Estates \$245.00; Meadow Wood Townhomes \$280.00; Nick Rayman \$300.00; Soltice Holdings \$175.00. Dr. /Hospital: 8 recipients – Aberdeen Surgical Assoc. \$878.73; AMG Anesthesiology \$80.00; AMG Physical Medicine \$212.22; Avera Heart Hospital \$44,348.35; Avera St. Luke's \$32,385.70. Insurance: 1 recipient – Wellmark Blue Cross & Blue Shield \$977.60; Medications: 1 recipient – Kessler's \$55.80. Utilities: 1 recipient – Aberdeen City Treasurer \$208.94. Burials: 2 recipients – Carlsen Funeral Home \$255.00; Spitzer Miller Funeral Home \$2200.00. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve the following claims for payment on January 2, 2013: SDPAA \$203,668.44 and SDML \$99,619.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to revise the Commission Assistant job description. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to acknowledge resignation of Lori Ehlers, effective January 1, 2013. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of November 2012: Jan Weismantel – 72 @ \$39.96, Marcus Selzler – 126 @ \$69.93, Kendell Titze – 72 @ \$39.96, Mark Wendt 360 @ \$199.80, Michael Scott – 160 @ \$88.80, Gary Vetter - 106 @ \$58.83. All members present voting aye. Motion carried.

UNCLAIMED PROPERTY:

Moved by Hansen, seconded by Fischbach to authorize expenditure of \$37.52 to the State of South Dakota Unclaimed Property for outstanding checks not cashed. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

Resolution #98-12.

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Tim Thurston Subdivision in NW ¼ Sec 4-T123N-R61W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #99-12.

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Cozy Nook West Subdivision in SE ¼ SE ¼ Sec 20-T128N-R65W of 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #100-12.

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "McNally Conservation Easement Tract 1 and Tract 2 in the NW ¼ of Sec 11-T123N-R62W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #101-12.

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Connie Mitchell Conservation Easement Tract 1 in the N ½ NE ¼ of Sec 22-T128N-R60W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #102-12.

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Steve Streier Addition in the NE ¼ of Sec 33-T124N-R63W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #103-12.

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Vetch Second Addition in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

Resolution #104-12.

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Raderschadt Addition in the NE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3, and any amendments thereof.

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

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Fischbach to increase spending authority and estimated revenue in the following funds for unanticipated reimbursement for expenditures: Fund #101-5.712.429 @ \$388,589.09, #101-4.334 @ \$388,589.09 (NECOG- CDBG YMCA Youth Development Center); #101-5.152.411 @ \$29,319.42, #101-5.152.412.10 @ \$1,817.74, #101-5.152.412.20 @ \$425.04, 101-5.152.413 @ \$1,759.08, 101-5.152.426 @ \$2,809.88, 101-5.152.427 @ \$2,668.30, #101.4-331.97 @ \$38,799.46 (SVAWA Grant); #226-5.228.426.61 @ \$10,381.46, #226-5.228.426.63 @ \$35,976.09, #226-5.228.426.64 @ \$9,676.24, #226-5.228.436.65 @ \$98,559.04, #226-4.331.23 @ \$154,592.83 (Homeland Security). All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Wiese, seconded by Fischbach to approve the following Contingency Transfers: increase spending authority (no cash): Fund #101: 151 States Attorney @ \$7,657.53, 153 Court Appointed Legal @ \$29,526.70, 162 Director of Equalization @ \$9,599.74, 212 Jail @ \$8,889.54, 213 Coroner @ \$10,381.36, 411 Welfare @ \$8,932.03, 424 Ambulance @ \$1,781.72, 441 Mentally Ill @ \$17,477.62, 445 Mental Illness Board @ \$40,695.21, 523 Fairgrounds @ \$35,287.02, 712 NECOG @ \$1,103.38; Fund 244 Donations @ \$1,430.48; Fund 248 24/7 Sobriety @ \$11,687.67; reduce spending authority (no cash) 101-112-422 @ \$184,450.00. All members present voting aye. Motion carried.

OPERATING TRANSFERS:

Moved by Wiese, seconded by Fischbach to transfer interest from General to individual funds as current revenue: debit #101-4.361 @ \$16,976.06 – credit #201 @ \$3,788.86, #207 @ \$590.47, #401 @ \$2,312.68, #504 @ \$10,284.05; and further per Commission Policy transfer to #101 General Fund @ \$14,072.91 from #201 Highway @ \$3,788.86 and #504 Solid Waste @ \$10,284.05. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Moved by Wiese, seconded by Fischbach to approve the following Budget Supplements for year 2012: Fund #101-5.524.426 Fair Board @ \$58,750.00, to be funded by sponsorships received in #101-4.345.50 @ \$58,750.00; Fund #201-5.311.426.31 @ \$79,611.73, to be funded by undesignated surplus cash in Fund #201 Highway. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Hansen, seconded by Wiese to set joint public hearing before the Aberdeen City Council and Brown County Commission to consider Ordinance #13-01-01/413, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Proposed Lots 1 and 2, Valley View Acres Subdivision in the NW ¼ of Sec 10-T123N-R64W of the 5th P.M., Brown County, SD, (2809 24th Ave NW); and Ordinance #13-01-02/414, An Ordinance to amend Ordinance No. 1164 to

rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Proposed Lot 1 Vetch Second Addition in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD, (38685 Cadillac Drive), to be held on January 22, 2013 at 5:30 p.m. in the Aberdeen City Council Chambers, 123 S Lincoln Street, Aberdeen, SD. All members present voting aye. Motion carried.

CULVERT DISCUSSION:

Robert Pray met to discuss a 48' culvert on the bank of the James River north of two 60' culverts, requesting assistance in replacing the 48' culvert with a 60' culvert. Jan Weismantel, Gary Vetter, Dave Martel, Randy Stanley, Roger Rix, Craig Harms, Lance Fliehs and Darwin Bettmann were also in attendance. After discussion the Commission suggested to proceed with the application process for funding from the James River Water Development District and the Mud Creek Watershed District; revisiting the request in the spring.

TAX DEED PROPERTY:

Moved by Hansen, seconded by Wiese to authorize Sheila Enderson, County Treasurer to submit all qualifying parcels to the States Attorney for completion of the tax deed process. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Fischbach, seconded by Wiese to authorize Sheila Enderson, County Treasurer to cancel contract for partial payments for taxes (as authorized by SDCL 10-21-7) due to non-payment on the following parcels: Lot 3 Edwards 3rd Subdivision in the SE ¼ 26-T124N-R64W (12866 Cattail Drive); Lot 11 Blk 12 Highland Park Addition to Aberdeen (703 14th Street S) and proceed with Tax Deed process. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss contract with Jan Weismantel, Rachel Kippley and Larry Lovrien 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.

CDBG REQUEST FOR AMENDMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign a request for amendment for Community Development Block Grant Agreement #1212-307 to change the scope of work due to project savings on equipment bids, with no increase in funding requested from the state (CDBG NewTec). All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Fischer, Brown County Auditor

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