

## JANUARY 26, 2021 –GENERAL MEETING

Meeting called to order by Commission Chair Fjeldehim at 8:45 A.M. in the Commission Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Feickert, Sutton, Wiese, Kippley. Commissioner Sutton led the Pledge of Allegiance.

### APPROVAL OF AGENDA:

Moved by Wiese, seconded by Sutton to approve the agenda with removal of the prayer. All members present voting aye. Motion carried.

### MINUTES:

Moved by Sutton, seconded by Wiese to approve the general meeting minutes of January 19, 2021. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Feicket , seconded by Kippley to approve the following claims:

Machinery/Equipment: Karl Chevrolet \$42,057.63.Professional Fees: Kristi Brandt \$23.80; Cogley Law Office \$7,656.25; Dohrer Law \$7,656.25; GBR Interpreting \$120.00; Christopher Haar \$7,148.51; Kuck Law Office \$7,193.71; Marco Inc. \$75.00; Jerald McNeary \$7,110.14; Police Legal Sciences \$1,800.00; Christy Griffin-Serr Law \$7,070.31; Jodi Sudweeks \$60.80; Taliaferro Law Firm \$7,656.25; US Bank \$2,805.56; Sara Zahn \$26.60.Publishing: Aberdeen American News \$732.49; Groton Independent \$670.57.Repairs & Maintenance: Auto Glass Solutions \$40.00; Double D Body Shop \$175.00; Pro Windmill \$250.00; Titan Machinery \$405.19; US Bank \$167.59. Supplies: 446-Praxair Distribution \$82.87; Century Business Products \$113.04; Charm-Tex \$392.24; Cole Papers \$147.50; Aberdeen Medical Center \$887.27; Fedex \$36.20; MB LLC \$20.00; Great Western States Supply \$1,194.32; House of Glass \$700.00; Labsource \$691.60; Leidholdt Tool Sales \$50.13; Marco Inc. \$17.21; Menards \$142.08; Midstates Printing \$2,192.15; Plumbing & Heating Wholesale \$152.96; Karen Swank \$500.00; Uline \$3,194.30; US Bank \$19,154.83.Travel & Conference: US Bank \$2,190.00. Utilities: Qwest Corporation \$2,151.65; Dependable Sanitation \$165.00; Midcontinent Communications \$265.00; Northwestern Energy \$2,573.89; Northern Valley Communication \$280.81; US Bank \$2,176.42.

All members present voting aye. Motion carried.

### HR REPORT:

Moved by Wiese, seconded by Feickert to approve the HR Office Report, which includes the following:

- Approve hiring Alexis Storm as Brown County Sheriff's Department Transport Driver and Correctional officer, part-time; at \$14.33 per hour effective January 6, 2021.
- Approve hiring of Kasey Kurtz as Brown County Sheriff's Deputy, full-time; starting wage \$23.06 per hour; effective January 25, 2021.
- Approve hiring of Erin Spencer as Brown County Sheriff's Deputy, Court Security and Transport Driver part-time, effective January 11, 2021.
- Approve hiring of Jennifer Powell as Brown County Jail and JDC Nurse "as needed", replacing Pam Smid.
- Approve hiring of Jordon Sutton as Brown OCUnty Landfill Heavy Equipment Operator, full-time; starting wage \$16.93 per hour; effective Feburary 1, 2021.
- Approve hiring of Leanne Shutt, Dakota Prairie Museum Office/Volunteer Coordinator, part-time pay increase to \$14.59 per hour effective February 1, 2021.

Roll call vote Commissioner Feickert – aye, Sutton – abstain, Wiese- aye, Fjeldheim – aye, Kippley – aye. Motion carried.

PLATS:

RESOLUTION 4-21 OALC FIRST SUBDIVISION

Commissioner Sutton brought the following resolution:

“BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING OALC FIRST SUBDIVISION IN THE SE1/4 OF SECTION 34-T124N-R64W OF THE 5TH P.M., BROWN COUNTY, SOTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF.” Seconded by Wiese: Roll call vote Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Fjeldheim – aye, Kippley – aye. Resolution adopted.

RESOLUTION 5-21 MOCCASIN CREEK SUBSTATION ADDITION

Commissioner Sutton brought the following resolution:

“BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING “MOCCASIN CREEK SUBSTATION ADDITION IN THE NW1/4 OF SECTION 27, TOWNSHIP 124 NORTH, RANGE 64 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA” HABING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF”. Seconded by Wiese: Roll call vote Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Fjeldheim – aye, Kippley – aye. Resolution adopted.

RESOLUTION 6-21 FREELAND SUBDIVISION

Commissioner Sutton brought the following resolution:

“BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING “FREELAND SUBDIVISION IN THE NW1/4 NW1/4 OF SECTION 2-T125N-R61W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA” HABING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF”. Seconded by Wiese: Roll call vote Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Fjeldheim – aye, Kippley – aye. Resolution adopted.

RESOLUTION 7-21 DAVE SCHUMAKER ADDITION

Commissioner Sutton brought the following resolution:

“BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING “DAVE SCHUMAKER ADDITION IN THE NW1/4 OF SECTION 22, TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA” HABING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967,, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF”. Seconded by Wiese: Roll call vote Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Fjeldheim – aye, Kippley – aye. Resolution adopted.

SET HEARING DATE – ORD 187 MINI AG REZONE:

Moved by Kippley, seconded by Sutton authorize advertising and set hearing date for ordinance 187: Applicant Kerry Konda requesting to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 1, Richmond Sunsets Addition in the NW1/4 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (37807 126th St). The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described

property. Hearing is set for February 16, 2021 at 8:46 A.M. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 187. All members present voting aye. Motion carried.

**SET HEARING DATE – ORD 188 MINI AG REZONE:**

Moved by Kippley, seconded by Sutton authorize advertising and set hearing date for ordinance 188: Applicant Earl Seppanen requesting to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG) Lot 1, “Reich Subdivision” in the NW1/4 of Section 8-T126N, R63W of the 5th P.M., Brown County, South Dakota (11338 389th Ave). The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. Hearing is set for February 16, 2021 at 8:46 A.M. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 188. All members present voting aye. Motion carried.

**LEASES:**

Moved by Sutton, seconded by Wiese to approve lease agreement with Leibelts RV for lease of Expo Match 8 – 21, 2021. All members present voting aye. Motion carried.

**ABATEMENTS:**

Moved by Feickert, seconded by Sutton to approve the following abatements: Abatements presented included tax exempt properties, solid waste exempt properties, clerical errors, reduction in value due to fires. Full list is on file with the Brown County Auditor and is open for public inspection. All members present voting aye. Motion carried.

**RANGELAND FIRE ASSISTANCE:**

Commissioner Sutton offered the following Resolution:

**RESOLUTION 8-21**

**RANGELAND FIRE ASSISTANCE**

**DESIGNEES AUTHORIZED TO REQUEST FIREFIGHTING RESOURCES**

BE IT HEREBY RESOLVED, that the list of individuals set forth below, are hereby authorized to request rangeland fire assistance, on behalf of the County of Brown as specified in SDCL 41-20A-11. The authority to request assistance as provided shall continue in full force and effect until terminated or modified by resolution of the County of Brown Board of Commissioners. County Fire Assistance Authorization list: Effective Date: January 1, 2021

Name of Individual	Position	Daytime Phone	Emergency or Cell Phone
Scott Meints	EM Director	(605) 626-7122	(605) 396-2625 / 715-5830
Patti Woods	EM Assistant	(605) 622-7122	(605) 397-2609 / 715-5831
Mike Wiese	County Commissioner	(605) 228-1237	(605) 228-1237

Dated this 26th day of January 2021.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Feickert-aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

**LANDFILL CELL 4 CONSTRUCTION:**

Moved by Feickert, seconded by Wiese to authorize chair to sign grant agreement from the Solid Waste Management Program through SD DENR for the Landfill Cell 4 Construction project. Grant award is for 10% of approved costs, not to exceed a maximum of \$260,000. All members present voting aye. Motion carried.

**SHERIFF VEHICLE REQUEST:**

Moved by Sutton, seconded by Wiese to approve request from sheriff to purchase 2021 Chevy Pickup from Karl Emergency Vehicles off the State of Iowa Bid in the amount of \$31,751.20. All members present voting aye. Motion carried.

**QUARTER 4 INTEREST:**

Moved by Feickert, seconded by Kippley to approve 4th quarter 2020 interest in the total amount of \$31,927.76. All members present voting aye. Motion carried.

**HUMAN RESOURCE ASSISTANT/WELFARE ASSISTANT:**

Moved by Sutton, seconded by Wiese to authorize advertising for a full-time shared position between Human Resources and Welfare. Roll call vote: Commissioners Feickert-aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Motion carried.

**BID AWARD – HIGHWAY ASPHALT CONCRETE PLANT MIX MATERIALS (HOT MIX):**

Time and place as advertised to open, read and consider sealed bids for furnishing Asphalt Concrete Plant Mix Materials (hot mix). Bids were received from Jensen Rock & Sand and Lien Transportation. Moved by Kippley, seconded by Feickert to award all bids on Asphalt Concrete Plant Mix Materials, as per tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion Carried.

**BID AWARD – HIGHWAY ROAD OIL:**

Time and place as advertised to open, read and consider sealed bids for furnishing highway road oil. Moved by Sutton, seconded by Wiese to award road oil bid submitted by Jebro as follows: Road Oil MC070 \$802.61 per ton; Road Oil MC-3000 \$618.11 per ton; Road Oil CSS1H \$484.85 per ton. Jebro was sole bidder. All members present voting aye. Motion carried.

**BIDS – MILLING AND RECLAIMING EQUIPEMENT:**

Time and place as advertised to open, read and consider sealed bids for furnishing Milling and Reclaiming Equipment Rental with Operator. One bid received from Loiseau Construction, Inc. Moved by Feickert, seconded by Kippley to award bid to Loiseau Construction, Inc at the following rates: Grind Only \$.65 (syd) with \$1,500 mobility charge; Grind with Lay-Back process \$1.00 (syd) with additional \$.65 (syd) for additional second gradation grind with \$2,500 mobility charge; Additive Injection and Lay-

Back process \$1.05 (syd) plus \$2,500 mobility charge; Milling \$.30 (syd) plus \$1,500 mobility charge. All members present voting aye. Motion carried.

**BIDS – GRAVEL:**

Time and place as advertised to open, read and consider sealed bids for furnishing Gravel Material. Bids were received from Behnke Sand & Gravel, Hanlon Brothers, HF Jacobs & Son Construction, Jensen Rock and Sand, and L.G. Everist. Moved by Sutton, seconded by Feickert to award all bids on Gravel Material based on location and availability, as per tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion Carried.

**BID DEFERRED – RENTAL EQUIPMENT:**

Moved by Sutton, seconded by Kippley to defer award of Rental Equipment for the Highway shop until February 2nd, 2021 8:50a.m., Brown County Commission Chambers, Courthouse Annex. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Kippley, seconded by Sutton to go into executive session to discuss personnel per SDCL 1-25-2(1). All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Sutton to go into executive session to discuss legal per SDCL 1-25-2(4). All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

**ADJOURNMENT:**

Moved by Sutton, seconded by Wiese to adjourn the Brown County Commission at 10:25 A.M. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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