

NOVEMBER 23, 2021 – GENERAL MEETING

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

APPROVAL OF AGENDA:

Moved by Sutton, seconded by Feickert to approve the agenda. All members present voting aye. Motion carried.

BROWN COUNTY BRIDGE INSPECTION:

Michael Gutenkauf & Chelsey Sheridan (IMEG) present themselves to the Commission to discuss results of the 2021 Brown County Bridge Inspection. There were 51 bridges inspected this year and Brown County has an 82.2% average sufficiency for the year which put the county at a good standing. No actions taken.

DEPARTMENT UPDATES & SURPLUS SALES:

Dirk Rogers, Brown County Highway Superintendent, provided updates on completed and on-going projects from his department. He also provided possibilities of having items ready to be posted as surplus online that he might need an approval once he gets the final list ready. No actions taken.

MINUTES:

Moved by Kippley, seconded by Sutton to approve the general meeting minutes of November 16, 2021. All members present voting aye. Motion carried.

CLAIMS & PAYROLL:

Moved by Sutton, seconded by Wiese to approve the following claims & payroll: PAYROLL Commission \$3,635.48; Auditor \$9,008.47; Treasurer \$13,588.99; SA \$28,321.99; SVAWA \$1,575.00; Maintenance \$7,603.59; Assessor \$14,965.37; Register of Deeds \$7,448.00; VSO \$4,047.11; GIS \$2,411.38; IT \$7,241.13; HR \$3,677.08; Sheriff \$44,208.12; Jail \$52,268.98; Court Security \$4,921.21; JDC \$23,056.56; Welfare \$2,982.62; Museum \$8,693.28; Parks/Fairgrounds \$4,006.81; Fair Board \$3,455.00; Weed \$4,150.29; Planning & Zoning \$5,332.71; Highway \$36,776.58; Dispatch \$35,735.67; Emergency \$4,160.96; Teen Court \$460.46; JDAI \$1,846.15; 24/7 Sobriety \$1,336.07; Landfill \$15,911.21; Matching Benefits FICA \$21,041.41; Medicare \$4,920.96; HSA \$966.72. CLAIMS Professional Fees: AVERA ST. LUKE'S \$719.20; Boyce Law Firm \$745.50; BRICK'S TV & APPLIANCE \$708.75; DAKOTA WOOD GRINDING INC \$30,378.50; DARCY LOCKWOOD \$15.00; DEPENDABLE SANITATION INC \$33,536.20; FAULK COUNTY SHERIFFS OFFICE \$2,790.00; HORN LAW OFFICE PROF LLC \$217.80; IMEG Corp \$8,564.25; KRISTI SPITZER \$1,200.00; LEWIS & CLARK BHS \$184.00; LINCOLN COUNTY TREASURER \$703.99; LUCY LEWNO \$160.00; MARK KATTERHAGEN \$15.00; MICHELLE GAIKOWSKI \$159.60; MIDWEST WELLNESS INSTITUTE, PLLC \$3,950.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$49.00; SD DEPT OF REVENUE & REGULATIONS \$3,044.61; STATE BAR OF SOUTH DAKOTA \$500.00; YANKTON COUNTY SHERIFF OFFICE \$100.00; YANKTON COUNTY TREASURER \$125.00. Publishing: ARGUS LEADER \$42.82; GateHouse Media South Dakota Holdings, Inc. \$472.97; MIDCONTINENT COMMUNICATIONS \$90.00; TDS MEDIA DIRECT, INC. \$420.00. Repairs & Maintenance: DIAMOND MOWERS INC \$14.93; ECOLAB PEST ELIMINATION \$252.61; FORDHAM SIGNS & DESIGN \$46.40; HF JACOBS & SON CONSTRUCTION INC \$2,600.00; Hydro-Klean, LLC \$5,765.00; INTERSTATE POWERSYSTEMS \$1,642.00; KEVIN W. STEIN \$2,475.35; LEIDHOLT ELECTRIC LLC \$1,112.81; LIEN TRANSPORTATION COMPANY \$9,225.96; NORTHSTAR SAFETY, INC \$22.18; PIERSON-FORD-LINCOLN -MERCURY \$1,967.10; POMPS TIRE SERVICE, INC \$10,979.94; SEWER DUCK INC \$380.00; TIMOTHY C. GARDNER \$115.00. Supplies: AGTEGRA COOPERATIVE \$13,592.21; COLE PAPERS

\$1,439.76; DAKOTA SUPPLY GROUP \$567.52; DIAMOND MOWERS INC \$748.60; Linde Gas & Equipment Inc. \$82.87; LUCY LEWNO \$5.03; MARCO INC \$17.48; MB LLC \$108.42; MENARDS \$92.81; NORTHSTAR SAFETY, INC \$420.00; PIERSON-FORD-LINCOLN -MERCURY \$1,585.16; TITAN MACHINERY - ABERDEEN NH \$811.62; TRUENORTH STEEL \$1,739.23; WEST PUBLISHING CORP. \$1,785.86. Travel & Conference: AARON WALBERG \$104.43; Cortney Paul \$205.76; DALE KURTH \$187.55; DARWIN BETTMANN \$35.56; DAVID NORTH \$210.96; Dwight Guthmiller \$192.50; JAMES MEYERS \$38.00; PATRICK KEATTS \$68.22; RYAN SWENSON \$192.50; STAN BECKLER \$42.77; Stephanie Mages \$192.50; Tom Miller \$192.50. Utilities: CITY OF ABERDEEN \$279.80; DEPENDABLE SANITATION INC \$513.00; JAMES VALLEY TELECOMMUNICATIONS \$216.30; NORTHERN VALLEY COMMUNICATION \$480.41; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,902.96; QWEST CORPORATION \$0.36; VERIZON WIRELESS SERVICES LLC \$3,034.73. Rentals: SEWER DUCK INC \$125.00; Linde Gas & Equipment Inc. \$45.39; PANTORIUM CLEANERS INC. \$263.34. Others: SD DEPT OF REVENUE & REGULATIONS \$798,377.00; WEX HEALTH INC. \$3,000.00; BARANKO BROTHERS, INC \$240,275.25. Roll call vote: Feickert-aye, Sutton-aye, Wiese-aye, Kippley-abstain, Fjeldheim-aye. Motion carried.

HR REPORT:

Moved by Feickert, seconded by Wiese to approve the following HR report:

- Acknowledge resignation of Shay Potter, Brown County Communications, full-time, effective November 25, 2021. Request to fill.
- Acknowledge yearly transfer of Michael Rohrbach from Brown County Weed & Pest to Brown County Highway effective November 14, 2021.
- Acknowledge yearly transfer of Gerald Lehrkamp from Brown County Weed and Pest to Brown County Highway effective November 14, 2021.
- Acknowledge resignation of Jeannette McClain, Brown County Auditor's Office, full-time, effective December 3, 2021. Request to fill.
- Approve amendment to 11-09-2021 HR Report: Hiring of Rachel Kippley as Brown County Fair Manager/Fairgrounds Assistant; full-time, starting wage @ \$65,000/year effective November 3, 2021.
- Approve amendment to 11-16-2021 HR Report, added wage: Erin Spencer, Brown County Deputy Sheriff, wage @ \$23.06/hour.

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

LIQUOR LICENSE RENEWAL:

Moved by Kippley, seconded by Sutton to approve the following applications for renewal of Liquor Licenses to operate outside of the Municipality: PACKAGE (OFF-SALE) LIQUOR: Stacy Gossman DBA Mansfield Bar & Grill, (Lots 11-14, 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); P'ZA Inc DBA Anchors Away Lodge & Resort (Palmer's Richmond Resort Subd Lt 1, Subd OL 1 Richmond OL 1 & 2); Travis Swenson DBA Elm Lake Resort (Lot 1 Elm Lake Subdivision in the SE ¼ of 8-128-65); Dustin Guthmiller DBA Bath Quick Stop (Lot B Weismantels 1st Subdivision of Lot 1 ex N12' Jenkins Subdivision E ½ of SE ¼); Chantal Gortmaker DBA Richmond Oasis (Lot 4 Schaeffer Richmond Lake 2nd Add NW & NE 25-124-65(5AC)). RETAIL (ON-SALE) AND SUNDAY LIQUOR: Stacy Gossman DBA Flying Pig, (Lot 2 Gossman Second Addition, SE ¼ of Sec 15-T123N-R65W); 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); Travis Swenson 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); Tyler Jones DBA 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); Stacy Gossman DBA Nacho Business (Outlot A SE 15-123-63 Brown County, SD). RETAIL (ON-OFF-SALE) WINE: ARR LCC DBA Flatland Flyways Lodge (Russo's OL 1 NW ¼ 1-127-62). Moccasin Creek Country Club Inc (Prairiewood Village OL 7, 33-124-63). All members present voting aye. Motion carried.

COURT APPOINTED ATTORNEY FEES AND MILEAGE:

Moved by Sutton, seconded by Kippley to acknowledge the fee increase for court-appointed attorney fees to \$101 per hour pursuant to UJS policy which provides that fees increase in an amount equal to any cost-of-living increase approved for state employees by the Legislature. Mileage for court-appointed attorneys will be paid at the rate of \$1 per mile. All members present voting aye. Motion carried.

PLATS:

**RESOLUTION 57-21
LEIKVOLD FIRST ADDITION**

It was moved by Wiese and seconded by Feickert and motion carried, that the plat as shown hereon and as described on the accompanying plat of "LEIKVOLD FIRST ADDITION", in the SW ¼ of Section 26, Township 124 North, Range 64 West of the 5th P.M., in Brown County, South Dakota, be approved and accepted and the County Auditor is hereby instructed to endorse on such plat a copy of this resolution and to certify the same. Roll call vote: Commissioner Feickert- aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

PLATS:

Commissioner Wiese offered the following resolution:

**RESOLUTION 58-21
GAPPA ADDITION**

"Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat "GAPPA ADDITION" IN THE S ½ OF SECTION 24, T126N, R65W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA," having been examined, is hereby approved in accordance with the provisions of SDCL 11-2-3, and any amendments thereof." Seconded by Commissioner Feickert. Roll call vote: Commissioner Feickert- aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

**RESOLUTION 59-21
BERGMAN ADDITION**

"Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat "BERGMAN ADDITION IN THE SW ¼ OF SECTION 11, TOWNSHIP 122 NORTH, RANGE 65 WEST 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 Feickert. Roll call vote: Commissioner Feickert- aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

**RESOLUTION 60-21
ELLEFSON-TOMEK SUBDIVISION**

"Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat "ELLEFSON-TOMEK SUBDIVISION IN THE NW ¼ OF SECTION 33-T124N-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 Feickert. Roll call

vote: Commissioner Feickert- aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

RESOLUTION 61-21
MUNGER SECOND ADDITION

“Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat “MUNGER SECOND ADDITION IN THE SE ¼ OF SECTION 17, TOWNSHIP 121 NORTH, RANGE 64 WEST 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 Feickert. Roll call vote: Commissioner Feickert- aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

RESOLUTION 62-21
C&B ELLWEIN ADDITION

“Be it resolved by the County Commission of Brown County, South Dakota, that the plat “C&B ELLWEIN ADDITION IN THE NE ¼ OF SECTION 18, TOWNSHIP 126 NORTH, RANGE 64 WEST 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 Feickert. Roll call vote: Commissioner Feickert- aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

REZONE ORDINANCE_SET HEARING DATE & AUTHORIZE ADVERTISING:

Moved by Feickert, seconded by Wiese to set hearing date and authorize publishing the following rezone ordinances:

- Application has been made by Paul & Jody Haar to the Brown County Board of Commissioners for the purpose of rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 1, “Svarstad Outlot 1” in the SW ¼ of Section 8-T122N-R63W of the 5th P.M., Brown County, South Dakota (13756 389th Ave).
- Application has been made by Richard & Tennille Taylor to the Brown County Board of Commissioners for the purpose of rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 1, “Swenson Outlot 1” in the NE ¼ of Section 12-T121N-R62W of the 5th P.M., Brown County, South Dakota. (39989 143rd St).

Hearing to be held in the Commissioner’s Chambers, Courthouse Annex, Brown County, South Dakota on December 14, 2021 at 8:46 A.M. 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. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 207 & 208. All member present voting aye. Motion carried

RFP FOR CLUBHOUSE CONCESSIONS (AKA BEER GARDEN) DURING THE FAIR_SET HEARING DATE & AUTHORIZE ADVERTISING:

Moved by Sutton, seconded by Fjeldheim to set hearing date and authorize advertising to open, read and consider proposals for contracts to operate concessions during Fair Week, per Ordinance #16, Chapter 16.06.04 at the “Clubhouse” (aka Beer Garden), to be held on December 14, 2021 at 8:45 a.m. in the Commission’s Chambers, Courthouse Annex, Brown County, SD. Roll call vote: Commissioner Feickert- aye, Sutton-aye, Wiese-nay, Kippley-abstain, Fjeldheim-aye. Motion carried.

ADJOURNMENT:

Moved by Sutton, seconded by Wiese to adjourn the Brown County Commission at 9:17 a.m. All members present voting aye. Motion carried.

Jeannette McClain, Brown County Deputy Auditor

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