

## APRIL 27, 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 Wiese led the Pledge of Allegiance.

### APPROVAL OF AGENDA:

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

### MINUTES:

Moved by Sutton, seconded by Wiese to approve the general meeting, equalization and consolidated board of equalization minutes from April 20, 2021. All members present voting aye. Motion carried.

### CLAIMS & PAYROLL:

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

PAYROLL: Commission \$4,327.95; Auditor \$8,935.95; Treasurer \$13,888.44; SA \$23,890.69; SVAWA \$1,730.76; Maintenance \$8,355.47; Assessor \$14,636.41; Register of Deeds \$9,124.96; VSO \$4,459.44; GIS \$2,411.38; IT \$7,734.99; HR \$3,691.33; Sheriff \$44,620.36; Jail \$51,635.00; Court Security \$6,078.13; JDC \$24,019.92; Welfare \$2,982.62; Museum \$7,823.77; Parks/Fairgrounds \$5,072.98; Fair Board \$2,379.43; 4-H \$681.93; Weed \$884.14; Planning & Zoning \$3,864.71; Highway \$36,744.74; Dispatch \$26,606.38; Emergency \$4,160.96; Teen Court \$478.17; JDAI \$1,786.92; 24/7 Sobriety \$1,243.38; Landfill \$14,747.82; FICA \$20,227.32; Medicare \$4730.59; HSA \$350.00; Health Insurance \$119,699.38; Dental Insurance \$7,166.25; Life Insurance \$1,062.16; Retirement \$41,378.48. CLAIMS: Professional Fees: Avera St. Luke's \$771.32; Century Link \$270.69; Cogley Law \$7,656.25; Dohrer Law Office \$7,656.25; Michelle Gaikowski \$311.60; Christopher Haar \$7,070.31; Karpel Solutions \$7,375.00; Kuck Law \$7,070.31; LTR Intermediate Holdings \$2,833.88; Jerald McNeary \$7,070.31; Sanford Health Occupational \$49.00; SD Dept. of Health \$2,545.00; Christy Griffin-Serr Law \$7,070.31; Taliaferro Law \$7,656.25; University of North Dakota \$2,080.00; US Bank \$845.00. Publishing: Aberdeen American News \$920.01; Groton Independent \$209.51; Lee Enterprises \$19.42; US Bank \$295.00. Repairs & Maintenance: Farm & Home Publishers \$42.00; Fordham Signs & Design \$69.00; HF Jacobs & Son \$539.29; Jalene Palmer \$492.16; Leidholt Electric \$1,292.87; Pro Windmill \$250.00; Quality Welding \$102.00; Schwan Welding \$929.00; US Bank \$2,823.62. Supplies: Taser International \$8,670.00; Scott Bader \$23.28; Century Business Products \$11,880.66; Cole Papers \$272.98; Correct Rx Pharmacy \$5.06; Crescent Electric \$49.88; Dakota Fluid Power \$141.19; Dakota Oil \$62.10; Farm & Home Publishers \$480.00; GovConnection \$427.20; L.G. Everist \$2,659.56; Marco \$30.41; Menards \$243.69; Plumbing & Heating Wholesale \$357.30; Quality Welding \$28.00; Runnings \$170.84; Sander's Sew-n-Vac \$767.92; Truenorth Steel \$23,409.50; US Bank \$14,849.30. Travel & Conference: Karpel Solutions \$5,000.00; SD Narcotics Officers Conference \$50.00; US Bank \$1,548.98; Rachel Wilson \$307.38. Utilities: Century Link \$0.36; Dependable Sanitation \$165.00; Montana Dakota Utilities \$33.39; Northwestern Energy \$446.53; US Bank \$721.32. All members present voting aye. Motion carried.

### HR REPORT:

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

- Acknowledge resignation of Emily Filsinger, Brown County Chief Deputy Auditor, effective April 30, 2021. Request to fill.
- Acknowledge Aaron Johnson, rescinded acceptance of employment as Brown County Landfill Maintenance, part-time. Request to fill

- Approve hiring of Trevor Marquardt as full-time Brown County Jail Correctional Officer effective April 26, 2021, starting wage @ \$16.82/hour.
- Approve request to hire a Brown County Highway mechanic and a labor grade 3 worker.
- Approve reclassification of Amy Lake-Harmon, Brown County Jail Administrative Assistant to Brown County Jail Senior Office Deputy; wage @ \$18.20/hour, effective May 3, 2021.
- Approve increase wage of Rachel Wilson, with the Brown County Sheriff's office to \$18.40/hour, effective May 3, 2021.

All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Feickert, seconded by Wiese to approve the following Brown County Fair Contracts: Sutton Rodeo @ \$46,200 for 2021, \$48,510 for 2022 & \$50,935.50 for 2023; Noah's Way Exotic Petting Zoo @ \$5,400. All members present voting aye. Motion carried.

#### SD DOT AGREEMENT AMENDMENT:

Moved by Sutton, seconded by Wiese to authorize the Chair to sign Amendment Number 2 to Agreement Number 614965 with SD Department of Transportation, adjusting the limiting amount for certain damaged county highways. A copy of the agreement is on file with the Brown County Auditor. All members present voting aye. Motion carried.

#### JAIL WASHER & DRYER QUOTES:

Moved by Sutton, seconded by Wiese to approve the quote for a commercial washer and dryer for the Jail from Mid Dakota Equipment in the amount of \$19,332 with drain through, rejecting quotes from Richard-Ewing Equipment Co. in the amount of \$20,300 without drain through and Horwath Laundry Equipment in the amount of \$20,940 without drain through. All members present voting aye. Motion carried.

#### SET HEARING DATE FOR ZONING REZONES:

Moved by Kippley, seconded by Wiese to set hearing date for the following rezone ordinances on May 18, 2021 at 8:46a.m. at the Brown County Courthouse, Commission Chambers:

- Applicant Scott Kampa requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Kampa Outlot A of "Kampa Outlot A" in the NW ¼ SW ¼ Section 31-T123N-R61W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13556 400<sup>th</sup> Ave).
- Applicant Scott Rozell requesting to rezone the following property from Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 1, "L.B. Addition" in the NE ¼ of Section 1-T121N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota (14201 382<sup>nd</sup> Ave).
- Applicant Ed Mensinger requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): W ½ of the East 32 Rods of the South 20 rods lying next North of the South 50' of the SW ¼ of Section 15-T123N-R63 W of the 5<sup>th</sup> P.M., Brown County, South Dakota (5405 E Hwy 12).
- Applicant Bill Kirschenmann requesting to rezone the following property from Chapter 4.07 Mini-Ag District (M-AG) to Chapter 4.16 Heavy Industrial District (H-I): Gisi's Lot A of "Outlot No. 1, Winter's Outlots" in the N ½ of Section 22-T453N-R64W, except R.O.W. of the 5<sup>th</sup> P.M., Brown County, South Dakota (627 385<sup>th</sup> Ave S).
- Applicant Kamen Equipment (Jerry Kamen) requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial

District (HC): Lots 1&2, "Kamen First Subdivison" in the SW ¼ of Section 23-T122N-R54W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13980 & 13998 386<sup>th</sup> Ave).

All members present voting aye. Motion carried.

PLATS:

RESOLUTION 21-21 PAULI ADDITION

Commissioner Feickert brought the following resolution:

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "PAULI ADDITION IN THE NE ¼ OF SECTION 12, TOWNSHIP 125 NORTH, RANGE 63 WEST OF THE 5<sup>TH</sup> 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 Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Kippley – aye, Fjeldheim – aye. Resolution adopted.

RESOLUTION 22-21 GUBIN SUBDIVISION

Commissioner Feickert brought the following resolution:

"Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "GUBIN SUBDIVISION, IN THE E ½ OF SECTION 22-T121N-R62W OF THE 5<sup>TH</sup> 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 Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Kippley – aye, Fjeldheim – aye. Resolution adopted.

RESOLUTION 23-21 KAMPA OUTLOT A

Commissioner Feickert brought the following resolution:

"Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "KAMPA OUTLOT A, IN THE NW ¼ NW ¼ SW ¼ OF SECTION 31-T123N-R61W OF THE 5<sup>TH</sup> 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 Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Kippley – aye, Fjeldheim – aye. Resolution adopted.

RESOLUTION 24-21 BOWEN FIRST ADDITION TO BLOCK 7 PRAIRIEWOOD VILLAGE

Commissioner Feickert brought the following resolution:

"Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "BOWEN FIRST ADDITION TO BLOCK 7 PRAIRIEWOOD VILLAGE IN THE NE ¼ OF SECTION 33-T124N-R63W OF THE 5<sup>TH</sup> 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 Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Kippley – aye, Fjeldheim – aye. Resolution adopted.

RESOLUTION 25-21 KAMEN SECOND SUBDIVISION

Commissioner Feickert brought the following resolution:

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "KAMEN SECOND SUBDIVISION IN THE SW ¼ OF SECTION 23, TOWNSHIP 122 NORTH, RANGE 64 WEST OF THE 5<sup>TH</sup> 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 Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Kippley – aye, Fjeldheim – aye. Resolution adopted.

#### RESOLUTION 26-21 PIERSON ELM LAKE ADDITION

Commissioner Feickert brought the following resolution:

“Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing “PIERSON ELM LAKE ADDITION IN THE SE ¼ OF SECTION 17, TOWNSHIP 128 NORTH, RANGE 64 WEST OF THE 5<sup>TH</sup> 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 Commissioner Feickert – aye, Sutton – aye, Wiese- aye, Kippley – aye, Fjeldheim – aye. Resolution adopted.

#### TAX DEED SALE:

Moved by Kippley, seconded by Sutton to authorize advertising the following described property to be offered for sale by auction in the Community Room, Brown County Courthouse Annex, on May 20, 2021 at 10:00 a.m.: Aberdeen City: East 2’ of Lot 12, Block 18, Highland Park Addition, Aberdeen, Brown County, South Dakota (1400 9<sup>th</sup> Ave SW), Lot 2 Diver’s 2<sup>nd</sup> Rearrangement of Lots 11-12, Block 23, First Addition to the City of Aberdeen, according to the plat thereof of record, Brown County, South Dakota (317 4<sup>th</sup> Ave SW), Lot Ten(10), Block Fifty-one (51), Second Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota (13 9<sup>th</sup> Ave SE); Stratford City: Lot 10-11-12, Block 19 in town of Stratford, Brown County, South Dakota. All members present voting aye. Motion carried.

#### LEASES:

Moved by Sutton, seconded by Feickert to approve the following lease agreement: Kathy Boschee for the lease of Richmond Lake Youth Camp (using lodge and one dorm) on May 1-2, 2021; SPURS for the lease of the 2555 John Deere Tractor and TR3 Arena Groomer for 4 days commencing on May 1 – July 31; Jeff Wolff for the lease of Hog and Sheep Barn on June 13; Aberdeen Humane Society for the lease of the Club House on April 24. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNTS – MARCH 2021:

Moved by Sutton, seconded by Wiese to approve the following Auditor’s report of accounts for March: Total Cash and Checks on Hand \$7,700.00; Total Checking Account Balances: \$15,103,951.03; Total Savings Account Balances: \$3,675,447.42; Total Certificates of Deposit: \$3,976,798.16; Grand Total Cash and Balances: \$22,763,896.61; General Fund Cash and Investment Balances by Funds: General Fund \$10,895,883.32; Road & Bridge Fund \$1,737,856.30; Road & Bridge Fund - restricted \$423,243.27; 911 Service \$860,016.41; Emergency & Disaster \$108,814.54; Domestic Abuse \$811.50; Teen Court \$23,450.83; Grant \$32.11; JDAI -\$6,723.45; Richmond Youth \$21,916.96; 24/7 Sobriety \$21,578.98; ROD M&P \$106,790.97; Tif Debt Service \$12,797.82; Landfill + cash change \$3,347,775.07; Landfill restricted \$1,400,479.44; Trust and Agency Funds \$3,809,172.54; GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS \$22,763,896.61. All members present voting aye. Motion carried.

#### BROWN COUNTY FAIR QUIET HOURS:

Tom Paepke (Fair Board President) and Sonje Oban (Interim Fair Manager) met to propose adjusting quiet hours during the fair. Moved by Wiese, seconded by Sutton to set quiet hours during the Brown County Fair at 12:30 a.m. for Tuesday through Wednesday with alcohol service until 1:00 a.m. and at 1:00 a.m. for Thursday through Saturday with alcohol service till 1:00 a.m. Quiet hours include live music, entertainment, and generator use for campers. All members present voting aye. Motion carried.

DEPARTMENT UPDATE – HIGHWAY:

Dirk Rogers (Highway Superintendent) met to give a department update including load limits being taken down on April 30. No actions taken.

APPLICATION FOR OCCUPANCY:

Moved by Sutton, seconded by Feickert to approve the following application submitted by Northern Valley Communications for telecommunication usage: occupancy of Brown County Highway 16/21, in Section 18,7,6,31,30,19,8,5,9, Township 122,123, Range 62, 63, Brown County, South Dakota. All members present voting aye. Motion carried.

PUBLIC COMMENTS\_2022 BUDGET:

Commissioner Fjeldheim recommended to the Board of Commissioner to consider a 3% wage increase for all Brown County employees for the coming 2022 budget discussion. No actions taken.

EXECUTIVE SESSION:

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

ADJOURNMENT:

Moved by Sutton, seconded by Kippley to adjourn the Brown County Commission at 9:58 a.m. All members present voting aye. Motion carried.

Jeannette McClain, Brown County Deputy Auditor

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