

NOVEMBER 9, 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 Sutton led the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

FIRST READING\_ ORDINANCE 205 (Medical Cannabis):

Moved by Sutton seconded by Wiese to approve first reading of Ordinance 205, an ordinance amending Title 4, second revision Brown County Ordinances, as amended to issue medical cannabis establishment permits and/or licenses setting an amount of \$5,000 processing license fee and \$2,500 refund should the permit/license get denied. All members present voting aye. Motion carried.

LANDFILL CELL 4 CHANGE ORDER:

Moved by Feickert, seconded by Sutton to approve Change Order #1 for Landfill Cell 4 Construction Project, increasing total of project by \$82,484.26 (total project @ \$2,020,541.83). All members present voting aye. Motion carried.

LANDFILL CELL 4 PROJECT PAY ESTIMATE #4-FINAL:

Moved by Sutton, seconded by Kippley to approve pay estimate #4-Final for Baranko Brothers in the amount of \$240,275.25 for cell four construction at the landfill. All members present voting aye. Motion carried.

FEDERAL AID GRANT FUNDED GUN RANGE:

Jacque Ermer of SD GFP met with the Board of Commissioner to discuss about Federal Grants available to fund a Gun Range for the county. Members of the public aired out their concern on building a new range on a suggested location west side of the county by the Landfill area. The Board of Commissioner advises to check for a possibility of expanding the existing Sportsman Club gun range south side of the city and to discuss it further with any parties involved. No actions taken.

COUNTY BURN BAN\_SET HEARING DATE:

Scott Meints, Brown County EM Director, discussed with the Commission changes on the County Burn Ban Ordinance. Moved by Wiese, seconded by Sutton to set hearing date and authorize publishing for amending title 18 Fire Safety, second revision Brown County Ordinances. A public hearing will be held by the Brown County Commission on the 30<sup>th</sup> day of November, 2021 beginning at 8:48 a.m. in the Commission Chambers, Courthouse Annex. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Brown County Ordinance No. 206. All member present voting aye. Motion carried.

COUNTY COMMISSION VACANCY PROCESS AND TIMELINE:

Cathy McNickle, Brown County Auditor, discussed with the County Commissioner process and timeline on filling out vacant position for County Commission with Commissioner's Kippley's resignation. Moved by Sutton, seconded by Wiese to authorize advertising for notice of intention to fill vacancy on Brown County Commission. Any person interested in the appointment must file a letter of interest with the Brown County Auditor, by 5 pm on December 3, 2021. For any questions and information, may contact the County Auditor's office. All members present voting aye. Motion carried.

MINUTES:

Moved by Feickert, seconded by Sutton to approve the general meeting minutes of November 2, 2021. All members present voting aye. Motion carried.

CLAIMS & PAYROLL:

Moved by Sutton, seconded by Wiese to approve the following payroll & claims: PAYROLL Commission \$4,327.95; Auditor \$8,983.90; Treasurer \$13,856.30; SA \$25,575.05; SVAWA \$1,575.00; Maintenance \$7,569.11; Assessor \$14,807.05; Register of Deeds \$7,448.00; VSO \$4,022.49; GIS \$2,411.38; IT \$7,250.89; HR \$3,696.08; Sheriff \$39,481.83; Jail \$52,055.96; Court Security \$4,933.12; JDC \$20,920.70; Welfare \$2,982.62; Museum \$9,076.07; Parks/Fairgrounds \$4,394.67; Fair Board \$631.61; 4-H \$631.59; Weed \$4,105.62; Planning & Zoning \$5,892.71; Highway \$41,010.53; Dispatch \$32,184.60; Emergency \$4,160.96; Teen Court \$230.23; JDAI \$1,846.15; 24/7 Sobriety \$1,271.53; Landfill \$16,681.05; MATCHING BENEFITS FICA \$20,450.53; Medicare \$4,782.80; HSA \$966.72; Health Insurance \$106,418.51; Dental Insurance \$7,751.00, Life Insurance \$1,071.34, Retirement \$22,428.00. CLAIMS Professional Fees: AVERA ST. LUKE'S \$11,803.80; BRICK'S TV & APPLIANCE \$3,566.25; CGI \$287.84; FOX & YOUNGBERG PC \$603.90; GARY MCNEIL \$838.50; HELMS & ASSOCIATES INC \$312.95; HOUSTON ENGINEERING, INC. \$2,677.38; KRISTI BRANDT \$52.20; LEXISNEXIS RISK DATA MGMT INC. \$150.00; MICHELLE GAIKOWSKI \$944.20; MICROFILM IMAGING SYSTEMS, INC. \$3,917.00; SANFORD HEALTH \$60.00; SD DEPT OF HEALTH \$3,785.00; WEST PUBLISHING CORP. \$275.05; YANKTON COUNTY SHERIFF OFFICE \$50.00; YANKTON COUNTY TREASURER \$125.00. Publishing: GROTON INDEPENDENT \$484.43; HUB CITY RADIO \$300.00. Repairs & Maintenance: BRENT A FISCHER \$562.50; CONSOLIDATED READY MIX, INC. \$3,140.00; DAKOTA DOORS INC \$3,057.31; DAKOTA FLUID POWER INC \$519.33; DAKOTA SUPPLY GROUP \$37.13; DIESEL MACHINERY \$11,340.00; DOUBLE D BODY SHOP INC \$2,054.04; EILERS WATER CONDITIONING & LAWN IRRIGATION \$190.00; FARNAMS GENUINE PARTS INC \$116.39; GRAHAM TIRE INC \$683.80; HAAR PLUMBING & HEATING INC \$92.82; HF JACOBS & SON CONSTRUCTION INC \$89.29; HOUSE OF GLASS \$104.67; HOVEN AUTO REPAIR INC \$340.34; HUB CITY ROOFING \$155.00; MB LLC \$250.00; MUTH ELECTRIC INC \$615.87; PRO WINDMILL INC. \$690.00; RDO EQUIPMENT CO. - AG \$10.00; ROLAND L. MOERKE \$212.50; RUNNINGS \$153.26; SEWER DUCK INC \$500.00; TRANSOURCE TRUCK & EQUIPMENT, INC. \$2,325.60; VOSIKA FENCING \$1,066.38; WALTH SAFETY SERVICE INC \$1,956.05; WOODMAN REFRIGERATION, INC \$461.74. Supplies: ADVANCED DRAINAGE SYSTEMS, INC. \$14,704.80; AGTEGRA COOPERATIVE \$34,044.10; BAKKEN BUILD MAINTENANCE \$500.00; BUTLER MACHINERY CO \$85.44; CENTURY BUSINESS PRODUCTS \$16.78; COLE PAPERS; \$355.48; CRAWFORD TRUCKS & EQUIPMENT \$1,206.62; DAKOTA FLUID POWER INC \$692.29; DAKOTA SUPPLY GROUP \$365.00; DIESEL MACHINERY \$609.39; DOOLEY ENTERPRISES, INC. \$1,652.20; EARTHGRAINS BAKING CO. INC. \$837.72; EAST SIDE JERSEY DAIRY, INC \$790.07; FARNAMS GENUINE PARTS INC \$12.58; FOX & YOUNGBERG PC \$3.33; GREAT WESTERN TIRE INC \$6,334.20; JENSEN ROCK & SAND INC \$107,314.58; MIDSTATES PRINTING \$128.91; PANTORIUM CLEANERS INC. \$84.00; PERFORMANCE RENTALS LLC \$12.00; PLUMBING & HEATING WHOLESAL, INC. \$227.06; PRECISION KIOSK TECHNOLOGIES \$2,700.00; RDO EQUIPMENT CO. - AG \$988.97; ROLAND L. MOERKE \$4,158.00; Safe Life Defense \$1,536.30; SATELLITE TRACKING OF PEOPLE, LLC \$1,631.50; TRANSOURCE TRUCK & EQUIPMENT, INC. \$1,271.95; TRI STATE WATER \$35.00; TYLER BUSINESS FORMS \$476.50; US FOODS \$8,174.70; WALTH SAFETY SERVICE INC \$270.00. Travel & Conference: HEARTLAND ASSOC OF FAIRS, FESTIVALS & EVENTS \$155.00; Ron Keller \$449.90; SAFE HARBOR \$575.00. Utilities: AT&T MOBILITY \$250.81; CITY OF ABERDEEN \$1,683.41; MIDCONTINENT COMMUNICATIONS \$124.51; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,811.60. Rentals: H & H FARMS \$250.00; LES FROHLING \$200.00; ROLAND L. MOERKE \$143.00; RON JACOBSON \$250.00. Others: SD DEPT OF ENVIROMENT & NATURAL RESOURCES \$4,698.31. All members present voting aye. Motion carried.

HR REPORT:

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

- Acknowledge retirement of Dennis Van Heerde, full-time from Brown County Highway Department effective September 3, 2021. Request to fill.
- Approve promotion of McKenzie Bierman, from Brown County 4-H and Fair Administrative Assistant to Brown County Fair Administrative Assistant @ \$20/hour effective November 2, 2021. Request to fill.

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

LEASES:

Moved by Sutton, seconded by Wiese to approve the following lease agreement: Premier Equipment, Bowdle, SD for lease of one People Mover on November 6, 2021; South Dakota AGC for lease of Expo Building on September 29, 2021. Roll call vote: Feickert-aye, Sutton-aye, Wiese-aye, Kippley-abstain, Fjeldheim-aye. Motion carried.

LOTTERY PERMITS:

Moved by Kippley, seconded by Wiese to approve the following lottery permit application: Aberdeen Hockey Association for a raffle on February 27, 2021 at the Brown County Fairgrounds (Odde Ice Center); Stratford American Legion Post #207 for a raffle on January 9, 2022, in Stratford, SD. All members present voting aye. Motion carried.

2022 LANDFILL TIPPING FEE:

Commissioner Sutton offered the following Resolution:

RESOLUTION #56-21

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, 2022:

SOLID WASTE TIPPING FEE SCHEDULE  
PRICES EXCEPT MINIMUM CHARGE DO NOT REFLECT APPLICABLE 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

Asbestos1: 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) -\$14.00 per ton

Contsoilsp: Contaminated Soil Special (i.e., NW Energy, Coal Gasification) - \$38.00 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  
MSWRB1: Asphalt Shingles - \$20.00 per ton  
MSWRB2: Heavy debris, concrete, dirt, rocks etc. \$14.00 per ton  
Rubble 3: Pallets - \$38.00 per ton  
Mobile Homes: all sizes - \$250.00per unit  
Scrap Metal: Metals - \$20.00 per ton  
Sludge: Sump waste (analysis may be required) - \$20.00 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  
Trees1: 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) 4.5 % Sales Tax included - \$ 5.00 per ton  
The following items are accepted free: Grass and Leaves, Lead Acid Batteries, Waste Oil/ Antifreeze (Residential Only)

Dated this 9th day of November 2021. Seconded by Commissioner Kippley. Roll call vote: Commissioners Feickert-aye, Sutton-aye, Wiese-aye, Kippley-aye, Fjeldheim-aye. Resolution adopted.

**MULTIPLE INTERMENT REQUEST:**

Moved by Feickert seconded by Wiese to approve and authorize Chair to sign Burial Permission Form submitted for burial at Riverside Memorial Cemetery to use Block 48, Lot 1, Grave Space L for multiple interment. All members present voting aye. Motion carried.

**OUT OF STATE TRAVEL REQUEST:**

Moved by Sutton, seconded by Wiese to approve following out of state travel request: Rachel Kippley & Mackenzie Bierman for IAFE Conference out of state on Nov 28 – Dec 2, 2021. Roll call vote: Feickert-nay, Sutton-aye, Wiese-aye, Kippley-abstain, Fjeldheim-aye. Motion carried.

**PUBLIC COMMENTS\_BACK-UP 911 LOCATION**

Duane Sutton, opens up to the Commission about having a back-up 911 location. Scott Meints, EM Director agrees to it and advises that we already have a certain location in the Courthouse to set-up a back-up 911 area. No actions taken.

**EXECUTIVE SESSION:**

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

**ADJOURNMENT:**

Moved by Sutton, seconded by Wiese to adjourn the Brown County Commission at 10:43 a.m. All members present voting aye. Motion carried.

Jeannette McClain, Brown County Deputy Auditor  
Published once at the total approximate cost of \$\_\_\_\_\_.