

JANUARY 25, 2022 – GENERAL MEETING

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

APPROVAL OF AGENDA:

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

SECOND READING/ADOPTION – ORDINANCE 209:

Moved by Feickert, seconded by Gage to adopt ordinance 209: Applicant Steve and Deborah Munger requesting to rezone rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 2, “Munger Second Addition” in the SE1/4 of Section 17-T121N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Ordinance adopted.

SECOND READING/ADOPTION – ORDINANCE 210:

Moved by Fjeldheim, seconded by Feickert to adopt ordinance 210: Applicant Alex Droog requesting to rezone rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 1, “Alex’s First Addition” in the S1/2 of the SE1/4 of Section 36-T124N-R65W of the 5<sup>th</sup> P.M., Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Ordinance adopted.

SECOND READING/ADOPTION – ORDINANCE 211:

Moved by Fjeldheim, seconded by Gage to adopt ordinance 211: Applicant Eretta Dargatz requesting to rezone rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Proposed Lot 1, “Dargatz Addition” in Section 14-T123N-R60W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Ordinance adopted.

EQUIPMENT SURPLUS:

Moved by Fjeldheim, seconded by Gage to approve the following list of highway equipment surplus:  
Trail King Low bow trailer Year2000 MODEL TK-110-HDG CO ID #LB-1 Decal1864 ,NEW HOLLAND WHEEL LOADER Year2001 LW-190 HR 13093 CO ID #L-4 Decal ,HYPAC VIBRATORY ROLLER Year1997 832B WITH CAB CO ID #R-12 Decal2123 ,FERGUUSON 9 WHEEL ROLLER Year1987 SP12 PHEUMATIC RUBBER TIRE CO ID #R-5 Decal1979 ,TRAIL KING UTILITY TRAILER Year2006 MODEL TKT12U CO ID #UT-11 Decal2124 ,TILT TRAILER 20FT Year2009 CO ID #UT-13 Decal588 ,4 INCH WATER PUMP Year2001 MODEL 84A2-B CO ID #WP-1 Decal1929 ,CHEVEROLET PICKUP Year2008 CK20743 CO ID #T-14 Decal572 ,CHEVEROLET PICKUP Year1990 CK309 3500 CO ID #T-12 Decal1814 ,MOWER TRACTOR JD Year1997 6400 CO ID #ML-4 Decal1806 ,MOWER TRACTOR JD with Tiger Offset Mower 780 decal 189 and Tiger side mount mower decal 1830 Year1997 6400 CO ID #M/L-5 Decal1827 ,GANG MOWER 15 FOOT Year2007 ALAMO EAGLE CO ID #GM-02 Decal2140 ,RIDING LAWN MOWER Year MODEL 2554 CO ID #M-12 Decal1988 ,SNOW PLOW LITTLE FALLS Year2000 MODEL 312-ST CO ID #SP-10 Decal1867 ,SNOW PLOW GLEN DALE Year1988 MODEL 11HTB1WH ONE WAY CO ID #SP-03 Decal1907 ,FALLS SNOW WING Year OFF A 2011 VOLO CO ID # Decal ,2 RIMS FOR 2011 VOLO Year NO TIRES. No sale date set. Other

governmental entities will have opportunity to purchase before public sale. All members present voting aye. Motion carried.

#### EQUIPMENT PURCHASE – LOW BOY:

Moved by Feickert, seconded by Wiese to purchase 2022 Trial King 110HDG Trailer in the amount of \$94,951.22 off Sourcewell contract #121918-TKI. All members present voting aye. Motion carried.

#### HIGHWAY DEPARTMENT UPDATE – SNOW/ICE POLICY:

Highway superintendent Dirk Rogers discussed the highway snow and ice policy. No action taken.

#### MINUTES:

Moved by Wiese seconded by Feickert to approve the general meeting minutes of January 18, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Fjeldheim, seconded by Wiese to approve the following claims: Professional Fees: AVERA ST. LUKE'S \$1,296.57; Boyce Law Firm \$127.80; CANDACE ROHRBACH \$55.00; CHRISTOPHER A. HAAR \$41.80; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; DOHRER LAW OFFICE \$8,541.67; ESRI - ENVIRONMENTAL SYSTEMS RESEARCH INSTITUE \$16,500.00; FAULK COUNTY SHERIFFS OFFICE \$1,260.00; HMN Architects, Inc. \$4,914.05; Howard J. Ryan Jr. \$9,062.50; IMEG Corp \$1,777.87; JERALD M. MCNEARY \$8,541.67; KOLKER LAW \$20.65; KUCK LAW OFFICE \$8,541.67; LEXISNEXIS RISK DATA MGMT INC. \$150.00; MOCIC (MID-STATES ORGANIZED CRIME INFO CENTER) \$150.00; NE MENTAL HEALTH CENTER \$312.00; NECOG (NORTHEAST COUNCIL OF GOV'T) \$14,625.00; SANFORD HEALTH \$2,100.05; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$126.00; SARA ZAHN \$23.80; SD DEPT OF REVENUE & REGULATIONS \$1,422.99; SHI INTERNATIONAL CORP \$2,407.50; TALIAFERRO LAW FIRM \$8,541.67; ZYLSTRA INVESTIGATIONS \$605.00 Publishing: GROTON INDEPENDENT \$567.87 Repairs & Maintenance: EPG COMPANIES, INC. \$924.53; FORDHAM SIGNS & DESIGN \$75.00; LEIDHOLT ELECTRIC LLC \$626.23; LIEN TRANSPORTATION COMPANY \$436.88; LITTLE FALLS MACHINE INC \$190.43; MIDWEST PUMP & TANK \$212.01; PANTORIUM CLEANERS INC. \$189.32; SCOTT DEMERY \$121.29; STEVEN LUST AUTOMOTIVE \$80.43 Supplies: ABERDEEN PIT STOP \$102.29; BRAD NEHLICH \$159.99; CHARM-TEX \$2,113.94; KESSLERS \$168.16; LABSOURCE, INC. \$602.93; LEIDHOLDT TOOL SALES, LLC \$29.58; LITTLE FALLS MACHINE INC \$1,427.35; MARCO INC \$15.50; MB LLC \$235.00; MCKESSON MEDICAL-SURGICAL GOVERNMENT SOLUTIONS \$834.19; MENARDS \$1,038.64; MIDSTATES PRINTING \$245.00; PANTORIUM CLEANERS INC. \$56.00; PHARMCHEM \$1,006.40; SHARE CORP \$693.00; STATE OF SOUTH DAKOTA \$3,878.77; The Junction \$504.45; WEST PUBLISHING CORP. \$1,785.86 Travel & Conference: AARON WALBERG \$185.34; RAMKOTA COMPANIES \$219.98 Utilities: JAMES VALLEY TELECOMMUNICATIONS \$219.50; NORTHERN VALLEY COMMUNICATION \$272.11; NORTHWESTERN ENERGY & COMMUNICATIONS \$6,141.11; QWEST CORPORATION \$59.46; VERIZON WIRELESS SERVICES LLC \$3,213.97 Others: SD DEPT OF REVENUE & REGULATIONS \$632,028.79 All members present voting aye. Motion carried.

#### HR REPORT:

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

- Approve hiring of Joel Randall, Brown County Building Maintenance Custodian, full-time; starting at \$15.50 per hour; effective January 26, 2022.

- Approve return of Richard Burns as Brown County Fairgrounds Maintenance, as needed; starting January 18, 2022 at \$12.66 per hour with a seasonal full-time start date of April 4, 2022.

All members present voting aye. Motion carried.

**ORDINANCE 212 – SET HEARING AND AUTHORIZE ADVERTISING:**

Moved by Feickert, seconded by Wiese to set hearing, and authorize advertising proposed ordinance 212. Applicant Brown County Planning and Zoning Office requesting to rezone the following property from Chapter 4.07 Mini-Ag District (M-AG) to Chapter 4.06 Agriculture Preservation District (AG-P): Previously described Lot 1, Block 2; Lot 4, Block 2; & Lot 5, Block 2, “Whitetail Meadows First Subdivision” in the NW1/4 of Section 26-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Hearing to be held in the Commissioner’s Chambers, Courthouse Annex, Brown County, South Dakota on February 15 at 8:46 A.M. All members present voting aye. Motion carried.

**PLATS:**

**RESOLUTION #5-22 DENNERT ADDITION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “DENNERT ADDITION” IN THE NW1/4 SECTION 4, T125N, 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 11-2-3, and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

**RESOLUTION #6-22 PASCH SECOND SUBDIVISION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “PASCH SECOND SUBDIVISION IN THE SW1/4 OF SECTION 8-T122N-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 11-2-3, and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

**RESOLUTION #7-22 WAYNE AND NANCY JOHNSON FIRST RICHMOND LAKE SUBDIVISION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “WAYNE AND NANCY JOHNSON FIRST RICHMOND LAKE SUBDIVISION, IN THE NW1/4 OF SECTION 13-T124N-R65W 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 11-2-3, and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

**RESOLUTION #8-22 SVARSTAD ADDITION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “SVARSTAD ADDITION IN THE SE1/4 OF SECTION 10, TOWNSHIP 122 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 11-2-3,

and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

#### AUDITOR REPORT OF ACCOUNTS:

Moved by Fjeldheim, seconded by Wiese to approve the following Auditor’s report of accounts:

OCTOBER: 2021 Total Cash and Checks on Hand 7700 Total Checking Account Balances: 30062731.43  
Total Savings Account Balances: 5125447.42 Total Certificates of Deposit: 3976798.16 General Fund  
Road & Bridge Fund 3586909.9 Road & Bridge Fund - restricted 423243.27 911 Service 1207940.55  
Emergency & Disaster 184008.79 Domestic Abuse 675.67 Teen Court 9550.63 Grant 32.11 JDAI -  
9787.56 Richmond Youth 21916.96 24/7 Sobriety 52533.99 ROD M&P 112392.48 American Rescue Plan  
Federal Grant 3770010 Landfill + cash change 2946700.98 Landfill - restricted 1400479.44 Trust and  
Agency Funds 13317418.62 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 39172677.01.

NOVEMBER: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 25106965.4 Total  
Savings Account Balances: 5825447.42 Total Certificates of Deposit: 3976798.16 General Fund Road &  
Bridge Fund 2913790.18 Road & Bridge Fund - restricted 423243.27 911 Service 1112697.9 Emergency &  
Disaster 174334.96 Domestic Abuse 1402.92 Teen Court 6555.7 Grant 32.11 JDAI -14796.42 Richmond  
Youth 21916.96 24/7 Sobriety 51311.6 ROD M&P 110101.48 American Rescue Plan Federal Grant  
3770010 Landfill + cash change 2883217.66 Landfill - restricted 1400479.44 Trust and Agency Funds  
8193052.58 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 34916910.98.

All members present voting aye. Motion Carried.

#### CLAIM ASSIGNMENT:

Moved by Wiese, seconded by Gage to authorize Auditor sign documentation to assign claim against an individual to Credit Collection Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### LEASE:

Moved by Fjeldheim, seconded by Wiese to approve the following lease agreement: Liebelts RV for lease of Expo Building March 7-20, 2022. All members present voting aye. Motion carried.

#### LOBBYIST CONTRACT:

Moved by Wiese, seconded by Sutton to approve contract and sign employer authorization form to hire Julie Johnson as Brown County Lobbyist for 2022 session not to exceed \$3,000. Roll call: Commissioner Feickert – no, Fjeldheim – aye, Wiese – aye, Gage- no, Sutton – aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Fjeldheim, 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 the executive session closed with no action taken.

#### ADJOURNMENT:

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

Cathy McNickle, Brown County Auditor

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