Commission Meeting
Brookings City & County Government Center
520 3rd Street
Chambers, Suite 310 (3rd floor)

1. **8:30 AM Call to Order on Tuesday, December 27, 2016**

2. **Pledge of Allegiance**

3. **Invitation for a Citizen to schedule time on the Commission Agenda for an item not listed.**

   Action items will be scheduled for a future meeting date.

4. **Approval of Agenda**

5. **Consent Agenda Items**

   A. **Approval of minutes.**

      Documents:

      12-20-2016 Minutes.pdf

   B. **Approval of travel & education requests.**

      Documents:

      Travel Requests.pdf

   C. **Approval of personnel action notices.**

      Documents:

      Personnel Action Notice Report.pdf

6. **Routine Business**

   A. **Department Head reports.**

7. **Scheduled Agenda Items**

   A. **9:00 AM - Cindy Danningbring, Executive Director of Inter-Lakes Community Action Partnership: ICAP update.**

8. **Regular Business**

   A. **Discussion and possible action to authorize Chairperson Krogman to sign a letter of intent for the purchase of the OAC property.**

      Documents:

Letter of Intent.pdf

B. **Action to approve Agreement #16-107: an independent contractor agreement between Brookings County and Brenda Colombe.**

Documents:

Agr 16-107 Independent Contract.pdf

C. **Action to approve Resolution #16-44: a resolution approving the FY2017 Official Pay Plan for Brookings County.**

Documents:

Res 16-44 2017 Pay Plan.pdf

D. **Action to approve Resolution #16-45: a resolution authorizing the appointment of an additional Deputy State's Attorney.**

Documents:

Res 16-45 Deputy States Attorney.pdf

E. **Action to approve Resolution #16-46: a resolution approving contingency transfers for FY2016.**

Documents:

Res 16-46 Contingency Transfers.pdf

F. **Action to withdraw the automatic supplement, supplementing line 101-4-214-4291 with revenue from the Juvenile Justice Reinvestment Initiative for $4,750.**

Documents:

AS - Juvenile Detention.pdf

G. **Action to transfer cash from budget line 101-4-221-4291 in the amount of $40,516.33 to fund 759, the Brookings County Fire Trust Fund.**

H. **End-of-Year Designations**

i. **Discussion and possible action to assign fund balance dollars within the General Fund, Road & Bridge Fund and County Building Fund.**

Documents:

Fund Designations.pdf

I. **Presentation of clock to retiring Commissioner Tom Yseth.**

9. **<u>Commission Department Director Report</u>**

Documents:

Commission Report.pdf

10. **Deputy States Attorney's Report**

11. **Commissioner Reports and Discussion Items**

    A. **Correspondence received.**

    Documents:

    Christmas, Kids, Cops Thank You.pdf
    Novita - Happy Holidays.pdf
    DENR - Volga Dairy Plans.pdf
    DENR - Volga Dairy Revised Cert.pdf

12. **Executive Session**

    In accordance with SDCL 1-25-2(4) Contract negotiations.

13. **Adjournment**

14. **Public Notices**

- *December 23-26, Friday to Monday: County Offices will be closed starting at 12:00 p.m. on December 23rd, and all day December 26th in honor of the Christmas holiday.*
- *December 29, Thursday:the Board has been invited to attend the retirement celebration for State's Attorney Clyde Calhoon from 2:00-4:00 p.m. in the Chambers of the City & County Government Center.*
- *December 30, Friday: the Board has been invited to attend a retirement celebration for State's Attorney Clyde Calhoon at 5:00 p.m. at the Elk's Lodge in Brookings.*
- *January 2, Monday: County offices will be closed in honor of the New Year's Day holiday.*

NOTE: Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact Brookings County (605-696-8205) 48 hours in advance of the meeting to make necessary arrangements. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access and will provide alternative formats and accessible locations consistent with the American's With Disabilities Act.

BROOKINGS COUNTY COMMISSION MEETING
TUESDAY, DECEMBER 20, 2016

The Brookings County Board of County Commissioners met in regular session on Tuesday, December 20, 2016 with the following members present: Ryan Krogman, Larry Jensen, Stephne Miller, Lee Ann Pierce, and Tom Yseth.

CALL TO ORDER

Chairperson Krogman called the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

The agenda for the December 20, 2016 Commission Meeting was approved without objection.

CONSENT AGENDA

Motion by Pierce, seconded by Yseth to approve the consent agenda. Motion carried. The consent agenda consisted of the minutes from the December 6, 2016 Commission Meeting, the minutes from the December 8, 2016 Joint County Commission & City Council Meeting, and the minutes from the December 13, 2016 Commission Meeting.

Travel Requests: Commissioners, Stacy Steffensen, & Vicki Buseth to attend the Chamber's Legislative Preview Luncheon on December 5th in Brookings; Sean Doremus to attend a Drug Recognition Expert School on January 16th-27th in Aberdeen; Robert Hill to attend the Louisiana State University per 222 Public Safety WMD Response on March 6th-8th in Sioux Falls; Robert Hill to attend the 2017 South Dakota/North Dakota/Wyoming Pipeline Safety Operator Training Conference on March 28th-31st in Rapid City; Michael Holzhauser to renew his PIV Badge on December 2nd in Sioux Falls.

Personnel Action Notices: routine step increase- Matt Christensen to $19.26, effective September 1, 2016; new hire- Deputy States Attorney Brittany McKnight at $63,016, effective December 1, 2016; voluntary resignation- Abigail Baatz, effective December 1, 2016; annual review- Martin Stanwick to $93,974.00, effective January 1, 2017; annual review- Beverly Chapman to $68,620.00, effective January 1, 2017; annual review- Vicki Buseth to $75,646.00, effective January 1, 2017; annual review- Stacy Steffensen to $69,107.00, effective January 1, 2017; annual review- Richard Birk to $70,759.00, effective January 1, 2017; annual review- Misty Moser to $43,225.00, effective January 1, 2017; annual review- Chris Lilla to $60,038.00, effective January 1, 2017; annual review- Robert Hill to $70,368.00, effective January 1, 2017; annual review- Michael Holzhauser to $68,590.00, effective January 1, 2017.

Human Services Report: case #16-187 for Avera McKennan was approved; case #16-189 for City of Aurora was approved; case #16-190 for rent was approved; case #16-190A for Brookings Municipal Utilities was approved; case #16-191 for rent was approved; case #16-050 for Avera McKennan was approved; case #14-191C for Avera McKennan was approved; case #16-193 for rent was approved.

ROUTINE BUSINESS

Approval of Claims

Motion by Miller, seconded by Jensen to approve the following claims. Motion carried.

A&B Business Inc, Copier Maintenance Contracts, $730.38; AgFirst Farmers Coop, Hook Up Service to Sinai Shop, $477.20; Airgas USA LLC, Gloves, $120.57; Amp Electric Construction, Repair Two Lights, $103.17; Anderson Oil, Dyed Diesel White Shop, $986.44; Aragon, Antonio, Translation Services, $262.50; Aragon, Martha A, Translation Services, $200.00; Arlington Fire Department, 1995 Spartan Gladiator, $29,784.39; Aurora Auto Body & Glass Inc, Tow, $214.00; Auto Body Specialists, Undercoat, Paint Thinner, $139.39; Avera Mckennan Hospital, Mental Health Hold, $2,098.50; Avera Medical Group, Prisoner Medical, $312.22; Banner Associates, Engineering Services, $12,835.75; Bowes Construction, Asphalt Pick Up, Patching, Gravel, $56,446.56; Bozied Oil Co Inc, Car Washes, $116.00; Brookings City Utilities, Utilities, $7,161.57; Brookings Engraving, Sign Plates, Portrait Book, $167.25; Brookings Health System, ER Investigation, Health Screenings, $1,666.00; Brookings Public Library, 4th Qtr Payment, $4,375.00; Brookings Register, Year Subscription, Publishing, $5,266.71; Brothers Pharmacy, Inmate Medication, $1,613.92; Buffalo Ridge Newspapers LLC, Legal Notices, $103.20; Buhls of Brookings Cleaners, Rugs, Mops, $94.40; Butler Machinery Co, Filters, Repair, $5,975.84; Carquest Auto, Shop Supplies, $112.03; Central Business Supply, Stool, Office Supplies, $1,729.43; Century Business Products, Copier Maintenance, $849.87; Century Link, Long Distance Phone, $298.24; Channel Properties, COP Rent, $550.00; City of Aurora, COP Utilities, $494.91; City of Brookings, 7/5-11/30 Animal Impounds, $420.00; City of White, Utilities, $54.15; Civic Plus, Annual Website Hosting, $5,898.10; Claritus, Ink Cartridge, Tape, $202.74; Brenda K Colombe, November Services, $1,000.00; Compass Counseling & Assessment, Psychosexual Assessment, $1,800.00; Cook's Wastepaper & Recycling, Commercial Service, $649.48; Credit Collections Bureau, Collection, $599.48; Dakota Data Shred, Billing Period 11/1-11/30, $44.85; Dakota Service, Towing, $555.00; Davis, Thomas, Zoning Mtg Mileage, $56.30; Dell Marketing LP, Hard Drive, $226.03; Den-Wil Inc, Monthly Rent, $877.00; Elenkiwich, Kimberly, Zoning Mtg Mileage, $36.10; Erickson, Roger, Zoning Mtg Mileage, $130.00; EseInd, Inc, Equipment Installation, $112.20; Eureka Township, Gopher Bounty Program - 201, $301.50; Exhaust Pros, Carry Out Pipe, $29.95; Fastenal Company, Nuts/Bolts For Shop, $21.31; Feucht Construction, Sinai Shop, $360.42; First Bank & Trust, Fuel, Training, Meds, Supplies, $1,225.71; Fite, Pierce & Ronning Law, Crt Appt Attorney, $2,814.40; Fix It Shop Locksmith, Deadbolt for Bathroom, $105.00; Foerster Office & Supply, Janitorial Supplies, Paper, $498.35; Forrest Holding, Tax Certificate, $1,594.26; G&K Services, Laundry Services, $420.43; Gass Law, PC, Crt Appt Attorney, $1,376.75; Graybar Electric Co Inc, Lights, $79.85; Patricia J Hartsel, Transcripts, $140.60; Konard O Hauffe DDS PC, Prisoner Dental, $259.77; Tim Hogan, Crt Appt Attorney, $3,647.33; Holzhauser, Michael, Conference Expenses, $1,722.85; Homestead Do-It Center, Concrete Mix, $10.78; Hometown Service & Tire, LLC, Tires, $527.26; Horn Law Office, Prof. LLC, CAA Mental Illness, $235.00; Hy-Vee Food Store, Jury Meals, $24.05; I State Truck Center, Reset Cruise, Filters, $339.83; Inmate Services Corporation, Transport Inmate, $586.00; Interstate Battery System, Battery, $171.95;

James C Shaeffer & Association, Cylanceprotect-3yrs, $9,900.00; Jensen, Randy J., Zoning Mtg Mileage, $88.72; Johnson Feed Inc, Road Salt, $6,358.72; Katterhagen, Mark, Inv Mental Illness Hearings, $52.50; Kirkvold Oil Company, Tires, $692.00; Kleinjan, Darrel, Zoning Mtg Mileage, $94.92; Kleins, Foam Core Boards, $1,000.00; Knapp Electric, Disconnect/Reconnect Gas Pump, $1,714.00; L&L Auto & Truck Parts, Shop, Vehicle Supplies, $2,819.39; Lewis & Clark Behavioral Health, Behavioral MI Intake, $480.00; Lewno, Lucy, Inv Mental Illness Hearings, $473.88; L. G. Everist, Inc, Icing Sand, $2,680.68; Lincoln County Auditor, Mental Illness Expenses, $2,642.13; Locators & Supplies, Coats, $159.13; Lowe's, Vent, Lights, Plastic, Key Box, $495.38; Lutheran Social Services, LSS Shelter Care 1 Day, $185.52; Lyle Signs Inc, Bridge Weight Limit Signs, $920.09; Reed T Mahlke, Crt Appt Attorney, $782.00; Martin's Inc, Diesel, Bruce Shop, $1,185.89; Matheson Tri-Gas Inc, Oxygen Welding Supplies, $433.76; Donald McCarty, Crt Appt Attorney, $12,528.36; McCrea, Don, Replace Void Ck#116067, Cell, $15.00; McKeever's Vending, Inmate Commissary, $1,448.36; Mediacom LLC, Dec-Law Library Internet, $75.90; Midstates Equipment & Supply, Road Mat, $22,698.00; Millborn Seeds Inc., Grass Seed, $362.50; Minnehaha County JDC, Minnehaha County JDC Charges, $16,689.99; National 4-H Council - Supply, 4H Tshirts, $47.69; Nelson, Darrell, Zoning Mtg Mileage, $86.50; Nancy J Nelson, Crt Appt Attorney, $809.60; Newegg Business Inc, Year Monitors, Thumb Drives, $1,525.60; Northwestern Energy, Natural Gas, $1,574.05; Office Depot Inc, Toner, $35.99; Office Peeps Inc, Batteries, Sorter, $87.69; Ohlin Sales Inc, Radio Chargers w/Adapter, $282.37; Olson, Steve, 12/7 Weed Board Mileage, $16.80; Zach Page, Fuel, Training, $45.06; Perry Electric Inc, Fire Alarm Repair, $107.52; Pharmchem Inc, Sweat Patch Analysis, $1,283.00; Pollard Law, PC, CAA Inv Mental Illness Hearing, $380.00; Qualified Presort Service, Postage for Tax Notices, Mail, $5,615.93; Ramkota Inn, Lodging for Safety Conference, $198.00; Razor's Edge Lawncare, Fall Cleanup, Snow Removal, $1,450.00; RDO Equipment Co, Light, Lift Hooks, $1,428.04; Reliance Telephone, Inmate Phone Cards, $2,000.00; Rental Depot, Trailer-Deliver Election Equip, $111.90; Rick Ribstein, Crt Appt Attorney, $3,444.07; Robbins, Jeff, Zoning Mtg Mileage, $319.93; Rochel, Robert, Zoning Mtg Mileage, $143.64; Running's Supply Inc, Shop Supplies, Waders, $240.18; Satellite Tracking of People, GPS Tracking, $198.25; Schuneman Equipment Co, Shop Supplies, $1,126.46; SD Attorney General's Office, 24/7 Participation Fee, SCRAM, $5,116.00; SD Building Officials Assoc, Membership, $65.00; SD Dept of Transportation, County Pavement Markings, $3,150.88; SDACO, ROD Relief Fund-Nov 2016, $888.00; SDSU Extension, 4H Calendars, Mileage, $206.00; SDSU Workstudy, SDSU Workstudy 10/22-11/21, $85.68; Sheehan Mack Sales, Inventory Filters, $146.25; Sherman Township, Gopher Bounty Program-25, $37.50; Sinai Coop Elevator, Diesel, $985.80; Sioux Valley Energy, Utilities, $258.00; Spence, Terrell, Zoning Mtg Mileage, $145.81; State Bar of South Dakota, Dakota Disc/Fastcase Subscription, $500.00; Sturdevant's Auto Parts, Shop Supplies, $80.33; Swanda, Karen, Inv Mental Illness Hearings, $52.50; Swiftel Center, Dec Facility Maintenance, $1,577.00; Anthony Teesdale, Crt Appt Attorney, $1,527.76; Thomson Reuters - West, West Info, Northwester Reporter, $1,548.69; Town & Country Shopper, Pocket Gopher Notices, $105.00; Town of Sinai, Utiliites, $64.00; Steven Ust, Building Inspections, $400.00; Vandenberg Law, Crt Appt Attorney, $3,358.00; Michael Vandeweerd, Zoning Mtg Mileage, $39.64; Verizon Wireless, Mobile Data, $280.07; Volga Township, Gopher Bounty Program - 142, $213.00; VS/ADRDL, Rabies Testing, $63.00; Walburg, Duane, Animal Control Mileage, $25.20; Walmart Community, Office Supplies, Totes, $89.90; Wheelco Truck & Trailer, Shop Inventory Supplies, $251.58; Ww Tire Service Inc, O Ring 2510, $19.95; Yankton County Sheriff, Service of Process, $50.00; Yankton County Treasurer, Mental Illness Hearing, $371.75; Young Door Service Inc, Overhead Door For Quanset, $2,298.98; SD Dept of Revenue, December Remittance, $380,973.97.

Department Head Reports

County Development Director Robert Hill said Deputy Director Richard Haugen attended a CSAP Meeting in Watertown. Hill said he attended a PPCC Meeting; participated in a conference call with the NACo Justice Committee; attended the Joint County Commission & City Council Meeting; attended a Homeland Security Planning for First Responders Workshop; and participated in a conference call with the IAEM Access & Inclusion Caucus.

Hill said the Brookings Gun Club has concerns about an adjacent property so a letter has been drafted to go out to the property owners. Pierce asked if the property owners have come in for a building permit. Hill said they have not. Pierce said she is concerned that the county is jumping the gun to the owners of the real-estate before they've even asked for anything. Yseth said the Gun Club has legitimate concerns that the owners should be aware of. Krogman said the landowners are showing signs of development. Miller said the letter should be directed to the citizens who have expressed concerns to the commission.

Hill discussed upcoming dates.

Hill updated the board on the recovery at Brush Lake. Hill said they are doing everything they can and will continue the search until the outcome is successful. Pierce thanked Hill for the work he is doing on the search.

Highway Superintendent Richard Birk said he was informed by the Department of Transportation that Brookings County is eligible for a rumble strip test project. Birk said there are three potential sites available. He said the project will be done in 2018 with no cost to the county.

SCHEDULED AGENDA ITEM

As scheduled at 9:00 a.m., the board held a public hearing for consideration of a proposed Supplemental Budget.

Chairperson Krogman opened the public hearing and called for proponents and opponents. Hearing none, Chairperson Krogman closed the public hearing.

Motion by Pierce, seconded by Miller to approve and authorize Chairperson Krogman to sign Resolution #16-37: a resolution approving a supplemental budget to the County Building Fund. Background information was provided by Commission Department Director Stacy Steffensen.

Roll call vote: Yseth "aye," Miller "aye," Jensen "aye," Pierce "aye," Krogman "aye." Motion carried.

RESOLUTION #16-37
SUPPLEMENTAL BUDGET TO THE COUNTY BUILDING FUND

WHEREAS the Brookings County Board of County Commissioners did authorize the County Finance Officer to publish a notice of hearing for the consideration of a proposed supplemental budget, and

WHEREAS the time and place for consideration of such supplemental budget was given, and

WHEREAS the adoption of said proposed supplemental budget was duly considered by the Board of County Commissioners on the 20th day of December, 2016, at 9:00 a.m. in the County Commission Chambers in a regularly scheduled meeting and any objections having been made before said Board to the adoption of such supplemental budget.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners within and for the County of Brookings, State of South Dakota, that the following supplemental budget be, and the same is, hereby approved for the purposed of providing budget to conduct the indispensable functions of government.

FROM: Restricted Fund Balance: 301-2-274-1300 for $10,000
TO: County Building-Highway Shops: 301-4-161-4293 for $10,000

Approved this 20th day of December, 2016

Chairperson: Ryan Krogman

Vice Chairperson: Larry Jensen

Commissioner: Stephne Miller

Commissioner: Lee Ann Pierce

Commissioner: Tom Yseth

Department Head Reports Continued

Register of Deeds Beverly Chapman updated the board on the installation of DocPro. She said the bulk conversion was completed and now they are going through all of the images and documents to ensure it was converted properly.

Weed & Pest Supervisor Misty Moser said she purchased a new larviciding machine and a ground fogging machine with the mosquito grant funds they received. Miller thanked Moser for applying for the mosquito grant.

Brookings County 2017 Intentions

Director of Equalization Chris Lilla presented the Brookings County 2017 Assessment Plan to the board.

Department Head Reports Continued

Finance Officer Vicki Buseth said they had the tax certificate sale on Monday and there were 165 properties listed. Buseth said they had two investors that purchased $188,000 worth of taxes.

Finance Office Report

Finance Officer Vicki Buseth presented the Finance Office report for November 2016.

Be it noted, the Auditor's Account with the Treasurer was presented to the board.

November 2016

Total amount of deposits in bank……$22,380,243.85
Total amount of actual cash: Currency…….$3,335.00

Coins……$0.72
Total amount of checks/drafts in Treasurer's possession not exceeding 3 days…..$361,250.67
Itemized list of all other items……..$10,079.71
TOTAL……..$22,754,909.95

Be it noted, the Payroll & Additives for November 2016 were presented to the board. Commissioner/HR: $16,146.55; Technology: $6,046.54; Elections: $4,769.67; Finance Office: $20,293.14; States Attorney: $25,611.47; Equalization: $17,820.28; Register of Deeds: $7,944.47; Veterans/Welfare: $5,984.96; Sheriff's Office: $89,365.85; Coroner: $355.20; Community Health: $3,314.09; Extension: $2,446.82; Weed: $2,099.20; Planning & Zoning: $8,799.99; Highway: $47,474.75; Emergency Management: $3,505.58.

AFLAC: $2,802.76; Avesis: $1,237.19; Delta Dental: $4,659.10; Flex One: $2,023.58; Dearborn Life Insurance: $1,235.50; Local Teamsters: $1,158.00; SDRS: $43,703.43; SDRS Supplemental: $1,638.00; EFTPS: $90,373.92; Wellmark: $88,121.82; AFLAC Group/CAIC Primary: $522.88.

Be it noted, the expenditure adjustments for the month of November 2016 were presented to the board. $3,480.00 was transferred to allocate highway department expenditures to other county departments for work performed and supplies furnished by the highway department.

Be it noted, the Register of Deeds Statement of Fees collected for the month of November 2016 in the amount of $29,175.50 was presented to the board.

Be it noted, the Brookings County Investment report was presented to the board.

REGULAR BUSINESS

Motion by Pierce, seconded by Miller to approve a refund of a building permit in the amount of $13,398. Background information was provided by County Development Director Robert Hill.
Roll call vote: Miller "aye," Jensen "aye," Pierce "aye," Yseth "aye," Krogman "aye." Motion carried.

Motion by Miller, seconded by Yseth to appoint Kyleigh Cramer to the Swiftel Center Advisory Board for a 3-year term to begin January 1, 2017. Background information was provided by Commission Department Director Stacy Steffensen.
Roll call vote: Jensen "aye," Pierce "aye," Yseth "aye," Miller "aye," Krogman "aye." Motion carried.

Motion by Pierce, seconded by Jensen to approve a request to fill vacancy for an Administrative Assistant in the Register of Deeds office.
Roll call vote: Pierce "aye," Yseth "aye," Miller "aye," Jensen "aye," Krogman "aye." Motion carried.

Motion by Miller, seconded by Yseth to approve for recording purposes and authorize Chairperson Krogman to sign Resolution #16-38: a plat of Lots 1, 2, 3, of Gebhart Addition, in the

NW ¼ of Section 2, Township 109 North, Range 48 West of the 5th P.M., Brookings County, South Dakota. Background information was provided by County Development Director Robert Hill.

Roll call vote: Yseth "aye," Miller "aye," Jensen "aye," Pierce "aye," Krogman "aye," Motion carried.

Motion by Miller, seconded by Yseth to approve for recording purposes and authorize Chairperson Krogman to sign Resolution #16-39: a plat of Lots 5B and 5C of Block 1 in Lake Park Second Addition in the E ½ NE ¼ and Government Lot 7 all in Section 28-T109N-R50W, Brookings County, South Dakota. Background information was provided by County Development Director Robert Hill.

Roll call vote: Miller "aye," Jensen "aye," Pierce "aye," Yseth "aye," Krogman "abstain." Motion carried.

Motion by Miller, seconded by Jensen to approve and authorize Chairperson Krogman to sign Resolution #16-40: a Bridge Improvement Grant Program resolution authorizing submission of applications. Background information was provided by Highway Superintendent Richard Birk.

Roll call vote: Jensen "aye," Pierce "aye," Yseth "aye," Miller "aye," Krogman "aye." Motion carried.

RESOLUTION #16-40
BRIDGE IMPROVEMENT GRANT PROGRAM

WHEREAS, Brookings County wishes to submit an application/applications for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

06-147-200 4 S and 2.3 W of Brookings on 216th St. Preliminary
06-240-141 0.9 N of Bushnell on 478th Ave. Preliminary
06-280-116 9.4 N and 4 W of Elkton on 482nd Ave. Preliminary

And WHEREAS, Brookings County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

And WHEREAS, Brookings County agrees to pay the 20% match on the Bridge Improvement Grant funds;

And WHEREAS, Brookings County hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Approved at Brookings, SD, this 20th day of December, 2016.

Ryan Krogman
Chairman

ATTEST:

Vicki Buseth
Finance Officer

Motion by Miller, seconded by Yseth to approve and authorize Chairperson Krogman to sign Resolution #16-41: a Bridge Improvement Grant Program resolution authorizing submission of applications.

Roll call vote: Pierce "aye," Yseth "aye," Miller "aye," Jensen "aye," Krogman "aye." Motion carried.

RESOLUTION #16-41
BRIDGE IMPROVEMENT GRANT PROGRAM

WHEREAS, Brookings County wishes to submit an application/applications for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

06-150-219 5.9 S and 2 W of Brookings on 469th Ave. Preservation
06-176-050 2.5 N and 6.3 W of White on 201st St. Preservation
06-220-190 1 S of Aurora on 476th Ave. Preservation

And WHEREAS, Brookings County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

And WHEREAS, Brookings County agrees to pay the 20% match on the Bridge Improvement Grant funds;

And WHEREAS, Brookings County hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Approved at Brookings, SD, this 20th day of December, 2016.

Ryan Krogman
Chairman

ATTEST:

Vicki Buseth
Finance Officer

Motion by Yseth, seconded by Miller to approve and authorize Chairperson Krogman to sign Resolution #16-42: a Bridge Improvement Grant Program resolution authorizing submission of applications.

Roll call vote: Yseth "aye," Miller "aye," Jensen "aye," Pierce "aye," Krogman "aye." Motion carried.

RESOLUTION #16-42
BRIDGE IMPROVEMENT GRANT PROGRAM

WHEREAS, Brookings County wishes to submit an application/applications for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

06-169-238 7.8 S of Brookings on 471st Ave. Construction
06-169-239 7.9 S of Brookings on 471st Ave. Construction

And WHEREAS, Brookings County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

And WHEREAS, Brookings County agrees to pay the 20% match on the Bridge Improvement Grant funds;

And WHEREAS, Brookings County hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Approved at Brookings, SD, this 20th day of December, 2016.

Ryan Krogman
Chairman

ATTEST:

Vicki Buseth
Finance Officer

Motion by Miller, seconded by Jensen to approve and authorize Chairperson Krogman to sign Agreement #16-106: a State of South Dakota Consultant Contract for Provision of Community Health Services between Brookings County and the South Dakota Department of Health, Family and Community Health, Child and Family Services. Pierce expressed her concerns regarding some of the language within the agreement. Yseth agreed with Pierce and said the agreement needs to be cleaned-up.

Miller and Jensen agreed to have their motion and second include the following changes within the agreement: changing the word "consultant" to "county" in Section D and adding verbiage to Section II, #6 to read, "Provide fiscal and administrative management, including participating in the supervision and evaluation of county staff provided by this agreement, to ensure efficient utilization of the resources of both parties. All income from patient fees and donations will be deposited in the State's budgetary accounting system."

Roll call vote: Miller "aye," Jensen "aye," Pierce "aye," Yseth "aye," Krogman "aye." Motion carried.

Motion by Miller, seconded by Yseth to automatically supplement for unanticipated expenses incurred and reimbursement made to Brookings County in the amount of $920.16, to GL line 101-4-120-4260, Elections. Background information was provided by Commission Department Director Stacy Steffensen.

Roll call vote: Jensen "aye," Pierce "aye," Yseth "aye," Miller "aye," Krogman "aye." Motion carried.

Motion by Jensen, seconded by Yseth to automatically supplement for unanticipated expenses incurred and reimbursement made to Brookings County in the amount of $390.00, to GL line 101-4-120-4260, Elections.

Roll call vote: Pierce "aye," Yseth "aye," Miller "aye," Jensen "aye," Krogman "aye." Motion carried.

Motion by Yseth, seconded by Miller to automatically supplement for unanticipated expenses incurred and reimbursement made to Brookings County in the amount of $20,000.00, to GL line 101-4-211-4110, Sheriff's Office.

Roll call vote: Yseth "aye," Miller "aye," Jensen "aye," Pierce "aye," Krogman "aye." Motion carried.

Motion by Jensen, seconded by Miller to automatically supplement for unanticipated expenses incurred and reimbursement made to Brookings County in the amount of $19,424.72, to GL line 101-4-212-4110, County Jail.

Roll call vote: Miller "aye," Jensen "aye," Pierce "aye," Yseth "aye," Krogman "aye." Motion carried.

Motion by Miller, seconded by Yseth to automatically supplement for unanticipated expenses incurred and reimbursement made to Brookings County in the amount of $4,750.00, to GL line 101-4-214-4291, Juvenile Detention.

Roll call vote: Jensen "aye," Pierce "aye," Yseth "aye," Miller "aye," Krogman "aye." Motion carried.

Motion by Miller, seconded by Yseth to automatically supplement for unanticipated expenses incurred and reimbursement made to Brookings County in the amount of $4,315, to GL line 101-4-429-4261, Mosquito Department.

Roll call vote: Pierce "aye," Yseth "aye," Miller "aye," Jensen "aye," Krogman "aye." Motion carried.

Motion by Miller, seconded by Yseth to approve and authorize Chairperson Krogman to sign Resolution #16-43: a resolution approving contingency transfers for FY2016.

Roll call vote: Yseth "aye," Miller "aye," Jensen "aye," Pierce "aye," Krogman "aye." Motion carried.

RESOLUTION #16-43
CONTINGENCY TRANSFERS

WHEREAS, the Brookings County Board of County Commissioners did approve a line for contingency transfers in the 2016 annual budget, and

WHEREAS, the Brookings County Board of County Commissioners finds it necessary to transfer from said contingency line.

NOW, THEREFOREE, BE IT RESOLVED by the Board of County Commissioners within and for the County of Brookings, State of South Dakota, that the following amount(s) and item(s) be transferred:

FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-120-4260 (Supplies & Materials)	$2,000
	Elections	

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-130-4222 (Adult Defense) $100,000
Judicial System

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-130-4230 (Blood Tests) $20,000
Judicial System

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-143-4110 (Salaries) $14,000
Finance Office

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-143-4220 (Professional Services & Fees) $4,000
Finance Office

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-151-4110 (Salaries) $91,000
State's Attorney

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-163-4110 (Salaries) $4,000
Register of Deeds

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-212-4110 (Salaries) $31,000
County Jail

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-212-4250 (Repairs & Maintenance) $7,500
County Jail

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-212-4262 (Medicine/RX) $10,000
County Jail

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-212-4263 (Medical Service/Lienable) $5,000
County Jail

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-212-4290 (Prisoner Ration) $45,000
County Jail

FROM: General Fund contingency line 101-4-112-4290
TO: 101-4-214-4291 (JDC-Minnehaha County) $120,000
Juvenile Detention

FROM: General Fund contingency line 101-4-112-4290
101-4-411-4110 (Salaries) $3,000
Poor Relief

FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-427-4110 (Salaries) *WIC*	$1,500
FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-441-4220 (Professional Services & Fees) *Behavioral Health*	$20,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-441-4290 (Court Appointed/MI) *Behavioral Health*	$5,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-711-4110 (Salaries) *Planning & Zoning*	$13,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	201-4-750-0000 (Wheel Tax) *Highway*	$10,010
FROM:	General Fund contingency line 101-4-112-4290	
TO:	226-4-222-4250 (Repairs & Maintenance) *Emergency Management*	$1,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	226-4-222-4350 (Equipment) *Emergency Management*	$3,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	248-4-212-4260 (Supplies) *24/7*	$9,333

Total Contingencies $519,343

Ryan Krogman
Chairperson
Brookings County, South Dakota

ATTEST:

Vicki Buseth
Finance Officer

The board discussed assigning funds in the General Fund unreserved, undesignated fund balance.

Commission Department Director Stacy Steffensen presented the Commission Department Director's Report.

Steffensen said there was a short power glitch the other day, which resulted in the server room overheating. Steffensen said IT Specialist Shawn Plowman and Maintenance Technician Aaron Scheer resolved the issue.

Steffensen said a number of county departments have starting doing Public Service Announcements in both the newspapers and radio stations.

Steffensen discussed upcoming dates.

Deputy States Attorney Teree Nesvold presented the Deputy States Attorney's Report. Nesvold said they've started the transition within the office anticipating State's Attorney Clyde Calhoon's retirement. Due to Marsey's Law, Nesvold said their office has logged in 69.75 hours of overtime.

COMMISSIONERS' REPORTS & DISCUSSION

Commissioner Pierce attended the County Planning & Zoning Meeting; attended the Joint County Commission & City Council Meeting; attended the Executive Session; attended the East Brookings Business Meeting; attended Leadership Brookings; attended the City/County potluck; listened to interviews for a potential candidate to put together the City's Comprehensive Master Plan; attended the Chamber Mixer; and attended the Mayor's Celebration of Service.

Commissioner Jensen attended the Ag Appreciation Banquet; attended the Conservation District Meeting; attended the Joint County Commission & City Council Meeting; attended the Executive Session; attended the East Brookings Business Meeting; attended Leadership Brookings followed by an Executive Session; and attended the City/County potluck.

Commissioner Miller attended the Weed Board Meeting; spoke with County Development Director Robert Hill on the Gun Club concerns; attended the Joint County Commission & City Council Meeting; attended the East Brookings Business Meeting; attended Leadership Brookings; attended two Executive Sessions; met with the States Attorney's office; attended a Domestic Abuse Meeting; and attended the Mayor's Celebration of Service.

Commissioner Yseth attended the Joint County Commission & City Council Meeting; attended the Executive Session; attended the East Brookings Business Meeting; and attended the Growth Partnership Meeting.

Commissioner Krogman attended the PPCC/POD Meeting; attended an Affordable Housing Meeting; attended the Joint County Commission & City Council Meeting; attended the OAC Meeting; attended the East Brookings Business Meeting; attended Leadership Brookings; attended the Executive Session; and met with the States Attorney's office.

EXECUTIVE SESSION

Motion by Miller, seconded by Yseth to enter into Executive Session at 10:53 a.m., in accordance with SDCL 1-25-2(4), Contract Negotiations. Motion carried. The board came out of Executive Session at 12:09 p.m. No action was taken.

ADJOURNMENT

Motion by Pierce, seconded by Jensen to adjourn. Motion carried. The next regular scheduled meeting is Tuesday, December 27, 2016 at 8:30 a.m.

It is the policy of Brookings County, South Dakota not to discriminate against the Handicapped of Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

_____

Jenna Peterson
Finance Assistant II
Brookings County

Published once at the approximate cost of_____.

Brookings County

Travel / Education Request Form

Name(s): Sean Doremus

Department Sheriffs Office. Position(s) Deputy Sheriff

Travel/Education

Date(s)	Beginning Odometer	Ending Odometer	Destination
01/16/17 to 01/27/17			Aberdeen, SD

Reason for Travel: Drug Recognition Expert (DRE)

Passengers _____

Estimated Expenses

- *Method of Travel: X County Vehicle* ____ *Private Auto*

  ____ miles @ *$____/per mile* = $ 100.00

- *Meals:* *9* *Breakfast* *@ $ 6.00* = $54.00
  10 *Lunch* *@ $11.00* = $110.00
  9 *Dinner* *@ $14.00* = $126.00

- *Additional Expenses (taxi, parking, etc)*
  Please list _____ = $0

- *Lodging:* *9* *Estimated number of days/ nights* = $0

- *Registration* _____ *Estimated cost* = $0

Total Cost Estimate = $ 390.00

Department Head designated mileage rate: $ _____/per mile

[signature] 12-21-16

Department Head Signature *Date*

Deputy Sean Doremus
2301 Dean Court
Brookings SD 57006

Dear Deputy Doremus;

Congratulations! You have been selected to attend the 2017 South Dakota Drug Recognition Expert (DRE) Training Course. The DRE Training Course you have been selected to attend is an intense and rigorous standardized course, coordinated by the International Association of Chiefs of Police (IACP) with support from the National Highway Traffic and Safety Administration (NHTSA). DRE Certification is valid for a two year period. To maintain continuous certification, DRE's must demonstrate proficiency and maintain a satisfactory performance during their certification period. This will include 8 hours of continued education, a minimum of 4 drug evaluations and a written test.

ACADEMIC TRAINING: The training is in two phases combined into ten consecutive days. The class hours will be:

January 16: 1300-1700
January 17-20, January 23-26: 0800-1700
January 27: 0800-1300

The first phase of the training is the Pre-School and is similar to ARIDE. The second phase is the DRE School. The training includes written examinations, a Standardized Field Sobriety Test (SFST) Proficiency Exam, courses in Physiology and vital signs, and quizzes. Students will maintain an 80% average on all quizzes and exams. Class instructors will be available for study sessions after formal classrooms hours throughout the training. We will also conduct two wet labs during the school.

LOCATION:

Class and lodging will be at the AmericInn Lodge and Suites
301 Centennial St S
Aberdeen SD 57401

CERTIFICATION PHASE: Upon successful completion of the academic portion, all students will attend Field Certifications at the Maricopa County Jail, Phoenix AZ. This will take place March 5-9, 2017. During Field Certification each officer will conduct a minimum of 6 drug evaluations under the supervision of a DRE Instructor, and identifying subjects under the influence of at least four of the seven drug categories, and attain an 80% toxicological confirmation rate. Each officer will also witness a minimum of 6 drug evaluations which is administered by one of your classmates.

Upon completion of the Field Certifications a final knowledge exam will be administered.

STUDENTS MUST ATTEND, COMPLETE AND PASS ALL PARTS OF THE TRAINING IN ORDER TO BECOME A CERTIFIED DRE.

CLASSROOM ATTIRE:

The dress code is business casual. An example would be a polo or button up shirt, khaki or BDU pants and dress shoes or duty boots. Uniforms may be worn but no weapons will be allowed in the classroom. NO JEANS, TENNIS SHOES, T-SHIRTS, CAPS/HATS, OR WARM UP STYLE CLOTHING DURING CLASS.

We are looking forward to your participation in the training. If you have any questions, please contact me at (605)380-8963 or rick.olauson@state.sd.us

Sincerely

Rick Olauson
SD State DRE Coordinator
SDHP

SUPPLY LIST AND OTHER INFORMATION

Highlighters (three to four colors)

3 X 5 Index cards (150-200 count)

Legal Pads (what you feel comfortable with)

Pens or Pencils

Hand Sanitizer

Post It Notes and Paper Clips

Manuals and training aids will be supplied on the first day of class.

Your rooms will be reserved in your name at the AmericInn starting on Monday, January 16. In all likelihood you will not be able to check in until 1500 hrs. At this time I do not have anyone staying for the weekend in between (January 20/21). If you do plan to stay the weekend instead of driving home, I NEED TO KNOW ASAP!! If you make plans to stay for the weekend and do not stay, you will be financially responsible for the cost of the rooms.

The rooms are direct billed to the DRE Program. You will also receive reimbursement for travel if you drive your personal vehicle to class. Keep track of you mileage from your front door to the motel. You will also have to provide your license plate number. FOR those driving department vehicles, you will not get reimbursed for travel expenses.

Each member will receive a per diem for the class as well. This will be paid after the class is completed so make appropriate plans to initially cover your meals.

Airlines and per diem for our travel to Phoenix will also be paid. This will be discussed further at the end of the class.

Any other information will be covered during the class. Congratulations and welcome!!

Personnel Action Notice Summary

Commission Meeting: December 27, 2016

Employee Name:	Thomas Kach				
Department:	Sheriff		**Position:**	Correctional Officer	
Effective Date:	12/14/2016		**Salary/Wage:**	$	16.99
Status:	Full Time	Part Time	Temp / Seasonal	Exempt	Non Exempt
Reason:	Performance Review	New Hire	Resignation or Termination	Status Change	

Employee Name:	Angela Strohfus				
Department:	Sheriff		**Position:**	Correctional Officer	
Effective Date:	12/14/2016		**Salary/Wage:**	$	16.99
Status:	Full Time	Part Time	Temp / Seasonal	Exempt	Non Exempt
Reason:	Performance Review	New Hire	Resignation or Termination	Status Change	

Employee Name:					
Department:			**Position:**		
Effective Date:			**Salary/Wage:**		
Status:	Full Time	Part Time	Temp / Seasonal	Exempt	Non Exempt
Reason:	Performance Review	New Hire	Resignation or Termination	Status Change	

Employee Name:					
Department:			**Position:**		
Effective Date:			**Salary/Wage:**		
Status:	Full Time	Part Time	Temp / Seasonal	Exempt	Non Exempt
Reason:	Performance Review	New Hire	Resignation or Termination	Status Change	

Brookings County
Board of County Commissioners
520 3rd St., Suite 210
Brookings, SD 57006
605-696-8205
BrookingsCountyCommission@brookingscountysd.gov

December 27, 2016

To Whom It May Concern:

It is the intent of Brookings County to enter into a purchase agreement for the purchase of the Outdoor Adventure Center property, located at 2810 22nd Avenue South, Brookings, South Dakota. This includes the building, land and any improvements to the property.

Thank you,

Ryan Krogman
Chairperson
Brookings County
Board of County Commissioners

Commissioners:
Vice-Chairperson, Larry Jensen
Commissioner, Stephne Miller
Commissioner, Lee Ann Pierce
Commissioner, Tom Yseth

Brookings County Finance Office
Vicki Buseth, Finance Officer
520 3rd Street Suite 100◆Brookings, SD 57006
Phone: (605) 696-8250
vbuseth@brookingscountysd.gov

December 21, 2016

TO: Brookings County Commission
FROM: Vicki Buseth, Finance Officer
RE: Staff Report

- I'm bringing a 2017 contract to be signed for Brenda Colombe. It is the same contract that was approved for 2016 accept the dates and amounts have been changed to reflect 2017. This amount is in my budget for 2017.

Thank you,

Vicki Buseth

Vicki Buseth
Brookings County Finance Officer

INDEPENDENT CONTRACTOR AGREEMENT

This independent contractor agreement (the "**Agreement**") is made and entered into as of January 1, 2017 (the "**Effective Date**") between Brookings County South Dakota (the "**County**"), a Governmental Entity, and Brenda Colombe, an Accountant (the "**Contractor**") (collectively, the "**Parties**").

The County requests the Contractor to perform services for it and may request the Contractor to perform other services in the future; and

The Parties therefore agree as follows:

1.0.**Term and Termination.**

1.1. This Agreement takes effect immediately as of the Effective Date, and remains in full force and effect until the Contractor has completed the Services (the "**Term**"), unless earlier terminated under this Section 1.

1.2. Either Party may terminate this Agreement by giving the other party thirty (30) days notice.

2.0.**Contractor Services.**

2.1. During the Term, the County may engage the Contractor to provide the following services as needed (the "**Services**"), or other such services as mutually agreed upon in writing by the Parties (email is acceptable), such services to be provided to County are, but not limited to:

Going over monthly reports, reviewing general ledger entries, helping and training Finance Department Staff with annual reporting, helping Finance Department Staff with year-end close out, helping and training Finance Department Staff with fixed asset and inventory reporting, helping Finance Department Staff set up entries and funds with new highway funding (STP) program, helping Finance Staff with departmental questions on budgets, revenues, etc., and helping with the set-up of grant accounting and major building project accounting procedures and programs.

2.2. The County shall provide the necessary equipment to perform the Services, such equipment to be provided to Contractor included, but not limited to: a laptop computer.

2.3 As a result of providing the Services, the Contractor or Contractor Personnel may create certain work product (the "**Work Product**").

2.4. The Contractor shall notify the County of any change(s) to the Contractor's schedule that could adversely affect the availability of the Contractor, whether known or unknown at the time of this Agreement, said Contractor shall promptly notify the County within a reasonable amount of time.

2.5. The work performed by the Contractor shall be performed at the following rate: One thousand (1,000) dollars per month for twelve (12) months for a total of twelve thousand (12,000) dollars. Contractor's hours shall be submitted on or before the last day of the month to the County Finance Officer. The Contractor shall work 342.86 hours for the contractual amount of twelve thousand (12,000) dollars. Contractual hours worked over the twelve thousand (12,000) contractual dollar amount shall be paid at the rate of thirty-five (35) dollars per hour. All hours over the contracted dollar amount shall be brought to the attention of the County Commission by the County Finance Officer.

2.6. The County shall not be responsible for federal, state and local taxes derived from the Contractor's net income or for the withholding and/or payment of any federal, state and local income and other payroll taxes, workers' compensation, disability benefits or other legal requirements applicable to the Contractor.

3.0.**Independent Contractor Status.**

3.1. The Parties intend that the Contractor be engaged as independent contractors of County. Nothing contained in this Agreement will be construed to create the relationship of employer and employee, principal and agent, partnership or joint venture, or any other fiduciary relationship.

3.2. The Contractor may not act as agent for, or on behalf of, the County, or to represent the County, or bind the County in any manner.

3.3. The Contractor will not be entitled to worker's compensation, retirement, insurance or other benefits afforded to employees of the County.

4.0. **Representations.** Both Parties represent that they are fully authorized and empowered to enter into this Agreement, and that the performance of the obligations under this Agreement will not violate or infringe upon the rights of any third-party, or violate any agreement between the Parties and any other person, firm or organization or any law or governmental regulation.

5.0. **Indemnification.** The Contractor shall indemnify and hold harmless the County, its affiliates, and its respective officers, directors, agents and employees from any and all claims, demands, losses, causes of action, damage, lawsuits, judgments, including attorneys' fees and costs, arising out of, or relating to, the Contractor's services under this Agreement.

6.0. **Confidential Information.**

6.1 Each Party agrees to hold and treat all confidential information of the other Party, including, but not limited to, employee and customer information and any other information that the receiving Party should reasonably know is confidential ("**Confidential Information**") as confidential and protect the Confidential Information with the same degree of care as each Party uses to protect its own Confidential Information of like nature.

6.2 Confidential Information does not include any information that (i) at the time of the disclosure or thereafter is lawfully obtained from publically available sources generally known by the public

(other than as a result of a disclosure by the receiving Party or its representatives); (ii) is available to the receiving Party on a non-confidential basis from a source that is not and was not bound by a confidentiality agreement with respect to the Confidential Information; or (iii) has been independently acquired or developed by the receiving Party without violating its obligations under this Agreement or under any federal or state law.

7.0. **Liability.** EXCEPT WITH RESPECT TO THE PARTIES' INDEMNIFICATION OBLIGATIONS, NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR ANY SPECIAL, INDIRECT, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES ARISING FROM OR RELATED TO THIS AGREEMENT, INCLUDING BODILY INJURY, DEATH, LOSS OF REVENUE, OR PROFITS OR OTHER BENEFITS, AND CLAIMS BY ANY THIRD PARTY, EVEN IF THE PARTIES HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THE FOREGOING LIMITATION APPLIES TO ALL CAUSES OF ACTION IN THE AGGREGATE, INCLUDING WITHOOUT LIMITATION TO BREACH OF CONTRACT, BREACH OF WARRANTY, NEGLIGENCE, STRICT LIABILITY, AND OTHER TORTS.

8.0 **Miscellaneous Provisions.**

8.1. This Agreement, and any accompanying appendices, duplicates, or copies, constitutes the entire agreement between the Parties with respect to the subject matter of this Agreement, and supersedes all prior negotiations, agreements, representations, and understandings of any kind, whether written or oral, between the Parties, preceding the date of this Agreement.

8.2. This Agreement may be amended only by written agreement duly executed by an authorized representative of each party (email is acceptable).

8.3. If any provision or provisions of this Agreement shall be held unenforceable for any reason, then such provision shall be modified to reflect the parties' intention. All remaining provisions of this Agreement shall remain in full force and effect for the duration of this Agreement.

8.4. This Agreement shall not be assigned by either party.

8.5. This Agreement is governed by and construed in accordance with the laws of the State of South Dakota without reference to any principles of conflicts of laws, which might cause the application of the laws of another state. Any action instituted by either Party arising out of this Agreement will only be brought, tried and resolved in the Circuit Court, Third Judicial Circuit, State of South Dakota.

The Parties are signing this Agreement on the date stated in the introductory clause.

COUNTY-Brookings County

By: _____

Name: Ryan Krogman

Title: Brookings County Chairperson

CONTRACTOR: Brenda Colombe

By:_____

Name: Brenda Colombe

Title: Accountant

RESOLUTION #16-___
A RESOLUTION SETTING THE OFFICIAL PAY PLAN FOR 2017

Be it resolved by the governing body of Brookings County, South Dakota:

That the official Pay Series and Management Salary Compensation increase as indicated in the attachments hereto is administered for the year 2017 to become effective January 1, 2017.

Passed and approved this 27th day of December, 2016.

_____
Chairperson
Brookings County Commission

ATTEST:

_____
Finance Officer
Brookings County

Commission Department (HR & Technology)	**FTE**	**GRADE**
Commission Department Director	1	E-13
County Commissioners	2.5 (5 @ .5)	Non-graded position
Information Technology Support Specialist	1	N-9
GIS Technician	1	N-9
HR Specialist	1	N-8
Office Coordinator	1	N-5
General Maintenance Worker	2	N-3

County 4-H	**FTE**	**GRADE**
PT 4-H Program Assistant	1 (2 @ .5)	N-5 (Step 1 & Step 2 only)

County Health	**FTE**	**GRADE**
Administrative Assistant	1	N-4
PT Administrative Assistant	.6	N-4 (Step 1 & Step 2 only)

County Development Department	**FTE**	**GRADE**
Director	1	E-11
Deputy Director	1	N-9
Office Manager	1	N-5

Equalization Department	**FTE**	**GRADE**
Director	1	E-11
Deputy Director	1	N-9
Appraiser	3	N-6
Administrative Assistant	2	N-4

Finance Department	FTE	GRADE
Finance Officer	1	E-12
Deputy Director	1	N-8
Senior Finance Assistant	2	N-6
Finance Assistant II	1	N-5
Finance Assistant	3	N-4
Temporary Election Worker	1 (4 @ .25)	Non-graded position

Highway Department	FTE	GRADE
Highway Superintendent	1	E-13
Lead Foreman	1	N-9
Road Foreman	1	N-8
Shop Mechanic	1	N-7
Equipment Fabricator/Welder	1	N-7
Heavy Equipment Operator	6	N-6
Office Manager	1	N-5
Equipment Operator	5	N-5
Sign Technician	1	N-5
Truck Driver	1 (2 @ .5-split employee)	N-3

Register of Deeds	FTE	GRADE
Register of Deeds	1	E-11
Deputy	1	N-6
Administrative Assistant	1	N-4

Sheriff's Department	FTE	GRADE
Sheriff	1	E-15
Assistant Sheriff	1	E-12
Jail Administrator	1	E-11
Deputy-Sergeant	3	N-10
Deputy	7	N-8
Courthouse Sheriff's Deputy	1	N-8
Correctional Officer	7	N-5
Office Manager	1	N-5
Administrative Assistant	1	N-4
PT Deputy Sheriff	1 (2 @ .5)	N-8 (Step 1 & Step 2 only)
PT Correctional Officer	6 (12 @ .5)	N-5 (Step 1 & Step 2 only)
Detention Center Nurse	.25	Non-graded position
Animal Control Officer	.25	Non-graded position
Jail Greeter	.5	Non-graded position

State's Attorney	FTE	GRADE
State's Attorney	1	E-19
Chief Deputy State's Attorney	1	E-15
Deputy State's Attorney	1	E-13
Victims/Witness Assistant/Office Administrator	1	N-8
Legal Assistant	3	N-7
Intern	1	Non-graded position

Veterans & Human Services Department	**FTE**	**GRADE**
Director	1	E-11
Deputy Director	1	N-6

Weed Department	**FTE**	**GRADE**
Supervisor	1	E-7
PT Weed Enforcement & Bio Control Officer	.5	N-4 (Step 1 & Step 2 Only)
Truck Driver	1 (2 @ .5-split employee)	N-3
Seasonal Truck Driver	.5	N-3 (Step 1 & Step 2 Only)
ATV Driver	1 (2 @ .5)	N-3 (Step 1 & Step 2 Only)

N=Non-Exempt Position; E=Exempt Position

2017 Wage Ranges

Pay Grade	Minimum	Mid-Point	Maximum
1	$26,915.00	$30,311.00	$34,135.00
2	$28,940.00	$32,591.00	$36,703.00
3	$31,113.00	$35,038.00	$39,459.00
4	$33,443.00	$37,662.00	$42,414.00
5	$35,951.00	$40,487.00	$45,595.00
6	$38,648.00	$43,523.00	$49,014.00
7	$41,547.00	$46,789.00	$52,692.00
8	$44,663.00	$50,298.00	$56,644.00
9	$48,013.00	$54,070.00	$60,892.00
10	$51,614.00	$58,125.00	$65,459.00
11	$55,485.00	$62,485.00	$70,368.00
12	$59,646.00	$67,171.00	$75,646.00
13	$64,119.00	$72,208.00	$81,318.00
14	$68,928.00	$77,624.00	$87,417.00
15	$74,098.00	$83,446.00	$93,974.00
16	$79,655.00	$89,704.00	$101,022.00
17	$85,629.00	$96,432.00	$108,598.00
18	$92,051.00	$103,665.00	$116,743.00
19	$98,955.00	$111,439.00	$125,499.00

	Non-Graded Part-Time Positions	
E	County Commissioners	$17,224
N	Detention Center Nurse	$22.00
N	Animal Control Officer	$25.83
N	Internships	$11.00
N	Jail Greeter	$11.50
N	Temp Election Workers	$11.00

RESOLUTION #16-45

A RESOLUTION AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL DEPUTY STATE'S ATTORNEY

WHEREAS, SDCL 7-16-3 authorizes the State's Attorney to appoint one deputy state's attorney and requires authorization by the Board of County Commissioners, by resolution duly entered upon its minutes, for the appointment of any additional deputy state's attorneys; and.

WHEREAS, the Brookings County Fiscal Year 2017 Budget has funds allocated for an additional deputy state's attorney position; now therefore;

IT IS HEREBY RESOLVED that the Brookings County Board of County Commissioners authorizes the Brookings County State's Attorney to employ an additional full-time deputy state's attorney at the compensation rate established in Resolution #16-44: the Official 2017 Pay Plan and continued thereafter as amended in the county's budget process.

Dated this 27th day of December, 2016.

_____
Chairperson, Brookings County Commission

ATTEST:

_____
Brookings County Finance Officer

Resolution #16-
Contingency Transfers

WHEREAS, the Brookings County Board of County Commissioners did approve a line for contingency transfers in the 2016 annual budget, and

WHEREAS, the Brookings County Board of County Commissioners finds it necessary to transfer from said contingency line.

NOW, THEREFOREE, BE IT RESOLVED by the Board of County Commissioners within and for the County of Brookings, State of South Dakota, that the following amount(s) and item(s) be transferred:

FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-130-4222 (Adult Defense) *Judicial System*	$35,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-130-4230 (Blood Tests) *Judicial System*	$2,500
FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-212-4262 (Medicine/RX) *County Jail*	$5,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-212-4290 (Prisoner Rations) *County Jail*	$20,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	101-4-441-4220 (Professional Services) *Behavioral Health*	$8,000
FROM:	General Fund contingency line 101-4-112-4290	
TO:	207-4-225-4220 (Professional Services/Fees Brkgs City Dispatch) *E911*	$4,700
FROM:	General Fund contingency line 101-4-112-4290	
TO:	226-4-222-4260 (Supplies & Materials) *Emergency Management*	$5,000

FROM:	General Fund contingency line 101-4-112-4290	
TO:	248-4-212-4110 (Salaries)	$5,000
	24/7	

Total Contingencies $85,200

_____

Chairperson
Brookings County, South Dakota

ATTEST:

_____

Finance Officer

Automatic Supplement

To automatically supplement for unanticipated expenses incurred and reimbursement made to Brookings County.

Department:	Juvenile Detention
Amount:	$4,750
Reason:	Juvenile Justice Reinvestment Initiative
Receipt #:	355361
Line #:	101-4-214-4291

Nicki Buseth 12/15/16

Department Head Signature Date

BROOKINGS CO FINANCE OFFICE

REC#: 00355361 12/02/2016 3:41 PM
OPER: VB TERM: 010
REF#: 100357064

TRAN: 400.0000 Misc Receipts
RECEIPT# 1857 STATE OF SD
REIMBURSEMENT TEEN COURT
ACCOUNT 1013-3340100 $4750.00
STGRVA JJRI DEPT OF CORRECTIONS

TENDERED: 4,750.00 CHECK
APPLIED: 4,750.00-

CHANGE: 0.00

Fund Designations as of December 22, 2016

General Fund 101:	Highway Projects	$614,101.00	Can be changed
	Future Economic Development Highway Projects	$4,750,000.00	Can be changed
	Unassigned Fund Balance	$3,470,098.93	Can be assigned
	Total	***$8,834,199.93***	
Highway Fund 201:	Restricted Fund Balance-Inventory	$252,465.35	Can't be changed
	Restrcted Fund Balance-Snow Removal	$334,620.30	Can be spent on snow removal via supplemental budget hearing
	Restricted Fund Balance-Road Purposes	$186,619.41	Can be spent on road and bridge projects via supplemental budget hearing
	Assigned Fund Balance- Road Purposes	$3,093,519.10	Can be assigned to more specific road and bridge projects
	Total	***$3,867,224.16***	
County Building Fund 301:	Restricted Fund Balance-County Building	$731,230.21	Can be spent on building projects via supplemental budget hearing
	Courthouse Building Purposes	$418,985.00	Can be assigned to another specific building project
	Juvenile Detention Center	$150,000.00	Can be assigned to another specific building project
	Detention Center	$2,000,000.00	Can be assigned to another specific building project
	Total	***$3,300,215.21***	

ESTIMATES

General Fund Options:	No Designations	40%
	Designate $1 million	32%
	Designate $1.5 million	28%
	Designate $1.75 million	26%
	Designate $2 million	24%

DISCUSSION ITEMS

General Fund:

Detention Center
Future 4H facility
Roads & Bridges

Road & Bridge Fund:

Interstate Overpass/Interchange
213th Street
214th Street

County Buildling Fund:

Re-assign the $418,985 that was for the courthouse
Re-assign the $150,000 that was for juvenile detention

Stacy Steffensen, Commission Department Director
Brookings County
520 3rd St., Suite 210
Brookings, SD 57006
605-696-8205
ssteffensen@brookingscountysd.gov

STAFF REPORT:

Agenda Items:

- 9:00 AM: Cindy Danningbring is the Executive Director of Inter-Lakes Community Action Partnership. She asked to meet with the board to provide an update on activities happening in Brookings County.
- Letter of Intent: This would authorize Chairperson Krogman to sign the letter included in the packet, indicating the county's intention to purchase the OAC building and property.
- Agreement with Brenda Colombe: This is a similar agreement entered into with Colombe for 2016 to assist the Finance Office. This is a budgeted item in 2017 as well.
- Pay Plan Resolution: This resolution establishes the pay plan for FY2017. It sets the positions and wage grades that those positions fall under in each department.
- Deputy State's Attorney Resolution: By statute, the board may authorize the State's Attorney to hire an additional Deputy State's Attorney. This is done by resolution.
- Contingency Resolution: Vicki and I have continued to look at budgets and anticipate additional expenses. In doing so, more contingency is needed.
- Withdrawal of Automatic Supplement: The State Auditors said we should not use this revenue to supplement the JDC expenses. As far as giving it to the Teen Court program, they said that is a board decision, but it isn't necessary. They suggested leaving it as revenue and not supplementing it anywhere.
- Fire Dept Transfer: This is an annual transfer of remaining budget to the long-term Fire Dept Fund.
- Designations: With the General Fund, I've estimated $450,000 in additional expenses for 2016 between claims and payroll. The report in the packet indicates what and/or how each line item can be spent and the estimates with the different designation amounts. I've also included items that that board has discussed funding.

Director's Report:

- Please plan to turn in your First District Surveys that were handed out at the meeting on December 20th.
- The first meeting of 2017 is Tuesday, January 3rd. Judge Stoltenburg will administer oaths at 8:15 a.m. Board and Department Head photos will take place at 8:30 a.m. The meeting will begin at 9:00 a.m.

Upcoming Dates:

- *County Offices will be closed on Friday, December 23rd from 12:00 p.m. to 5:00 p.m. and all day on Monday, December 26th in honor of the Christmas holiday.*
- *The board has been invited to attend the retirement celebration of State's Attorney Clyde Calhoon on Thursday, December 29th from 2:00 p.m. to 4:00 p.m. in the Chambers of the City and County Government Center.*
- *The board has been invited to attend a retirement celebration for State's Attorney Clyde Calhoon on Friday, December 30th at 5:00 p.m. at the Elk's Lodge in Brookings.*
- *County Offices will be closed on Monday, January 2nd in honor of the New Year's Day holiday.*

Thank you,

Stacy Steffensen

Stacy Steffensen
Commission Department Director
Brookings County, South Dakota

December 19, 2016

Brookings County Commission
520 3rd Street
Brookings,, SD 57006

Thank you for your recent monetary donation for the "**Christmas, Kids & Cops**" program which is coordinated by the Brookings City and County School Resource Officers. Through local individuals, foundations, governments and various business donations we are able to provide gifts and food boxes to selected area students. Wal-Mart Corporation sponsors this annual event at Christmas time and it is always a memorable event for everyone involved. Your assistance in this effort made the Holiday season a little brighter for the 28 families involved. We are hopeful you will experience the happiness that we do from being able to be involved in this program.

We are grateful for your assistance in this effort and hope that you have a happy Holiday season and a wonderful 2017.

In gratitude and appreciation

Joe Fishbaugher
Brookings Police Dept.
Patrol Officer
307 3rd Avenue
Brookings, SD 57006
605-692-2113

Darin Sinner
Brookings Police Dept.
School Resoure Officer
307 3rd Avenue
Brookings, SD 57006
605-692-2113

Jon Pike
Brookings Cty Sheriffs Dept.
School Resource Officer
315 7th Avenue
Brookings, SD 57006
605-696-8300

Stacy Steffensen

From: Don Endres at Novita Nutrition <marketing@novitanutrition.com>
Sent: Wednesday, December 21, 2016 9:08 AM
To: Stacy Steffensen
Subject: Happy Holidays from Novita!

Season's Greetings! We've had an exciting 2016, including the growth of the Novita team to nearly 50 full-time employees. The team is now training on various safety and operational processes and procedures to ensure the successful start-up of the Novita Aurora facility. Due to a number of factors, including the weather, we expect to begin commissioning and start-up of the facility in Q1 of 2017. We are looking forward to a great year ahead and excited to bring our products to market.

Training & Start-up Preparations

It might be cold and frigid outside, but our operations team has been staying warm and busy training for the Aurora facility start-up.

Novita Honored with Incubator Company of the Year

Novita proudly accepted the award for displaying leadership, creating jobs, promoting economic growth, and developing an innovative product.
>> MORE

NovaMeal®
BYPASS PROTEIN

Novita & Gavilon Form a Strategic Partnership

Together, they will efficiently deliver NovaMeal®, a high quality bypass protein and digestible fiber, to the western dairy market. >> MORE

www.NovitaNutrition.com | www.NovaMeal.com

Novita Nutrition | 2301 Research Park Way, Suite 226, Brookings, SD 57006 PH: 605.610.1026

Unsubscribe ssteffensen@brookingscountysd.gov

Update Profile | About our service provider

Sent by marketing@novitanutrition.com in collaboration with

Constant Contact®

Try it free today

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 14, 2016

Frido Verpaalen
Volga Dairy
46318 214th Street
Volga, SD 57071-6346

RE: Volga Dairy Manure Management System
As-Built Plans Review

Dear Mr. Verpaalen:

The Department of Environment and Natural Resources (DENR) received three copies of the as-built plans for the modifications to your approved manure management system on December 12, 2016. The manure management system is located in the Southwest ¼ of Section 34, Township 110 North, Range 51 West in Brookings County, South Dakota.

Your permitted manure management system is for a housed lot feeding a maximum of 1,750-head of dairy cattle consisting of 1,630 mature dairy cows and 120 calves. Your system consists of two freestall barns and a special needs barn with flush systems, a dry cow barn, a manure pack calf barn, a manure reception pit, a milk parlor, a special needs milk parlor, a manure solids separator, piping, diversion dikes or channels, a feed storage area, a solid manure stacking area, two holding ponds, and 0.8 acres of drainage area. The solids stacking pad is designed for at least 270 days of solids storage capacity. The designed capacity of the holding ponds is at least 270 days of liquid storage capacity. The department has approved plans for placing concrete on the manure stacking area, additions on one of the existing freestall barns, two calf sheds, and increasing the maximum animal numbers to 1,900-head of dairy cattle consisting of 1,750-head of mature dairy cattle and 150 calves.

We approved revised plans and specifications for the calf sheds on November 23, 2016. The as-built changes consist of the following:

- The newly constructed north shed will be used for hay storage instead of housing calf huts; and
- A plan sheet showing the extent of the concrete placed on the solid manure stacking area was submitted.

We have reviewed and hereby approve the changes shown on the as-built plans. Two copies of the as-built plans are being kept for our files. Please replace the appropriate pages in your plans

and specifications booklet with the revised pages enclosed with this letter and add any additional pages enclosed with this letter into your plans and specifications booklet.

Proposed Barns

The as-built site plan sheet includes a proposed calf barn and a proposed freestall barn that have not been approved. The proposed barns are currently in a 30 day public comment period, being reviewed by DENR, and will be addressed in a separate letter. **You cannot begin construction of the proposed barns without department approval.**

You are responsible for contacting the local planning and zoning office in the county where manure application will take place to determine if there are any local ordinances or requirements with which you need to comply. It is up to local government to enforce their local ordinances.

New federal regulations for concentrated animal feeding operations (CAFO's) were published in the *Federal Register* on November 20, 2008. Federal law dictates that these types of permits expire every five years, at which time the state has to reissue a new permit. The current general permit expired October 19, 2008, and is currently administratively extended. Until program changes can be made and a new general permit is issued, the current permit will remain in effect. A contested case hearing was held on September 27-29, 2016. More information can be found on the department's one-stop contested case website at http://denr.sd.gov/ccdocs.aspx?CCID=CCID25.

Once the permit is reissued, the department will provide every permitted and approved operation information about when they need to apply for coverage under the reissued permit and the options they need to consider.

If you have any questions regarding the content of this letter, please feel free to contact Ben Myers, Feedlot Permit Program at (605) 773-3351. Thank you for your cooperation.

Sincerely,

Kent R. Woodmansey, PE, Engineering Manager
Feedlot Permit Program

cc: Brian Friedrichsen, PE, DEC, Huron, SD
Luke Muller, F.D.A.L.G., Watertown, SD
Brookings County Commissioner

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 14, 2016

Frido Verpaalen
Volga Dairy
46318 214th Street
Volga, SD 57071-6346

RE: Volga Dairy Manure Management System
Revised Certificate of Compliance

Dear Mr. Verpaalen:

As you are aware, the department issues a Certificate of Compliance for manure management systems that have had plans and specifications approved and are constructed as designed. We have received an amended Notice of Completion for your animal waste management system and are issuing you a revised Certificate of Compliance.

The Certificate of Compliance is for 1,900-head of dairy cattle at your operation consisting of 1,750 mature dairy cattle and 150 calves. The components included in the amended Notice of Completion consist of the calf shed and the placement of concrete on the solids stacking pad. The certificate shall remain in place until we receive notices of completion for expansions or for new system components at your operation and issue the dairy another revised certificate.

Also, you have completed the requirements to obtain coverage under the general water pollution control permit for concentrated animal feeding operations for the new components of your operation. I am granting coverage under the permit for the calf shed and placement of concrete on the solids stacking pad **(permit number SDG-0100006)**. You are required to operate in compliance with the terms and conditions of this permit.

As was discussed with you during previous inspections, buffer zones are required around land application areas. Please review the buffer zone requirements on the land application maps included with the nutrient management plan in Appendix D of the permit prior to land applying manure.

We would like to thank you for your cooperation in ensuring protection of our natural resources. The department encourages you to remain in compliance by properly operating and maintaining your system.

Sincerely,

Kent R. Woodmansey, PE, Engineering Manager
Feedlot Permit Program
(605) 773-3351

cc: Brian Friedrichsen, PE, DEC, Huron, SD
Luke Muller, F.D.A.L.G., Watertown, SD
Brookings County Commissioners