

BROOKINGS COUNTY COMMISSION MEETING

Tuesday, August 25, 2009

The Brookings County Board of County Commissioners met in regular session on Tuesday, August 25, 2009 with the following members present: Donald Larson, Alan Gregg, Mary Negstad, Deanna Santema, and Dennis Falken.

CALL TO ORDER

Chairperson Larson called the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

The agenda for the August 25, 2009 commission meeting was approved without objection from the board.

CONSENT AGENDA

The consent agenda was approved without objection from the board.

The consent agenda consisted of the minutes from the August 18, 2009 commission meeting.

Welfare Matters: case #08-110 for Avera Heart Hospital was denied; case #09-096 for Brookings Hospital was denied; case #09-097 for Brookings Hospital was denied; case #09-098 for Brookings Hospital was denied; case #09-099 for Brookings Hospital was denied; case #09-100 for Brookings Hospital was denied; case #09-101 for Avera McKennan Hospital was denied; case #09-103 for Avera McKennan Hospital was denied.

Travel/Education Requests: Gary Egeberg, Steve Smith, Bob Mans, Glen Nachtigal, Gary Heldt, Alan Gregg and Lawrence Barnett to attend the Annual Brookings County Weed Tour on September 8, 2009; Joyce Dragseth to attend the Schneider User's Conference August 11-12, 2009 in Ames, IA; Jason Meusbarger to attend the Schneider User's Conference August 10-12, 2009 in Ames, IA; and Stephanie Vogel to attend the City/County Management Association Meetings and SD Public HR Association Meetings during the SDML Conference October 6-9, 2009 in Watertown, SD.

ROUTINE BUSINESS

Motion by Gregg, seconded by Negstad to approve the following claims. Roll call vote: Gregg "aye," Negstad "aye," Santema "aye," Falken "aye," Larson "aye." Motion carried.

A&B Business, Copier Maint, \$40.57, Copier Maint, \$38.81, Copier Maint, \$795.18; Adair Asset Management LLC, Cert 08-121 Red Cert 654, \$4,375.01, Cert 07-92 Red Cert 653, \$8,909.83; AgFirst Farmers Coop, Amine 2-4D, \$5,107.50; Alan Glover, CAA 09M-0392, \$164.00; Allegra Print & Imaging, White Index Contact Cards, \$50.87; Alltel, Custodial Cell Phones 2 Lines, \$79.90, Cell Service, \$117.21, Phone Charges, \$89.43, Monthly Statement, \$56.24; American Jail Assoc., 6A9 Membership, \$48.00; Ammann, Lonny, Special Election Worker, \$20.00; Anderegg, Sharon, Special Election Worker, \$150.00; Anderson, Norma, Honorarium Cat Show Judge, \$64.80; Anderson, Ruth S, Special Election Worker, \$167.18; Angle, Lois, Special Election Worker, \$155.00; Antonen, Joan, Special Election Worker, \$190.70; Asche, Matthew, Office Rent/Utilities/Email, \$190.00; AT&T, Long Distance, \$56.73; Audus, Jodi, Special Election Worker, \$135.00; Aurora Little Hall, Special Election Rent, \$20.00; Availability Employment, Appraiser Assistant Hours, \$189.00; Avera Queen of

Peace Health, Random Employee Drug Testing, \$141.00; Banner Associates, Structure Replacement Options, \$4,869.00; Barg, Verlie M., Special Election Worker, \$162.00; Bartley, Bobbe, Special Election Worker, \$162.00; Bell, Robert, Special Election Worker, \$140.00; Berkland, Marlys, Special Election Worker, \$165.00; Bjorklund, Joan, Special Election Worker, \$145.00; Bohn, Harlan, Honorarium Dairy Show Judge, \$151.80; Bommersbach, Marilyn, Special Election Worker, \$147.50; Bowes Construction, Concrete & Asphalt, \$7,135.18; Boyer Trucks, Lenses/PS Gasket/Seal Kit, \$108.05; Boys & Girls Club, 2009 Funding Teen Court, \$10,000.00; Brandt, Natalie, Honorarium Cat Showmanship, \$58.51; Bratland Law, CAA, \$270.60; Brkgs Area Chamber, Herseth Sandlin Luncheon, \$82.50; Brookings City Utilities, Water, \$216.16, Utilities, \$517.77, Phone Charges, \$116.14, Phone & Internet, \$71.47; Brookings County Finance, Delinquent Taxes, \$1,371.18; Brookings Credit Bureau, Sheriff Trust, \$84.87; Brookings Health System, Evidence Collection, \$218.00, Physical Evidence, \$1,294.15, PMD, \$376.19; Brookings Register, Chip Seal Advertising, \$262.50, Publishing, \$683.67, Legal Publishing, \$106.12; Brotsky, Eleda, Special Election Worker, \$162.00; Callies, Barry, Honorarium Beef Show Judge, \$145.88; CarQuest Auto, Brake Shoe/Dust Cover, \$24.05; Central Business Supply, Copier Maintenance, \$5.70, Various Office Supplies, \$292.77, Supplies/Ink/Copier Maint, \$653.45, Ink Cartridge, \$29.49, Copier Maint, \$30.00, Office Supplies, \$80.40, Copy Paper/Business Signs, \$50.55, Cash Receipts/Binders, \$22.44; Century Business Product, Copier Maintenance, \$112.70; Chemco Inc, Jail Supplies, \$188.63, Jail Cleaning Supplies, \$381.61; Christensen, Judy, Special Election Worker, \$192.55; Christianson, Marlys, Honorarium Mileage, \$14.80; City of Brookings, July Animal Control, \$130.00; City of Brookings Landfill, Landfill Fees, \$41.41; Cook's Recycling, Jail August Billing, \$133.12, Garbage Pick Up, \$98.36, Garbage & Recycling, \$177.51; Cook's Recycling, Garbage Service, \$87.52; Cook, Karen S, Special Election Worker, \$179.23; Corlett, Neva Jean, Special Election Worker, \$160.00; Courtesy Plumbing, Inc, Parts for Water Tank, \$25.65; Creative Product Sourcing, Dare Stickers, \$15.00, Dare Supplies, \$1,043.46; David M. Hosmer Law Office, CAA INV MI Hearing, \$113.00; Deleeuw, Mary, Honorarium Horticulture, \$36.84; Deuel County Auditor, Sioux Valley Comm Meeting, \$68.00; Dezeeuw, Gertrude, Special Election Worker, \$150.00; Diamond Mowers Inc, Lift Cable/Lift Cable Rear, \$138.59; Donald McCarty, CAA 09M-0167, \$493.58; Donna K Dietrich, INV MI Hearing, \$137.64; Dragseth, Joyce, GIS User's Conference/NCRAAO, \$119.92; Eckman, Gay Linn, Special Election Worker, \$150.00; Englin, Caleb, Honorarium/Night Watchman, \$200.00; Even, Anna, Special Election Worker, \$177.75; Farm & Home Publishers, 2009 Brkgs Co Plat Books, \$50.00; Fetzer, Yvonne, Special Election Worker, \$160.00; Fischer, Wayne, Honorarium Poultry Show Judge, \$72.20; Forsyth, Charleen, Special Election Worker, \$147.50; Foster, Dianne, Special Election Worker, \$180.24; Frerichs, Allyn, Honorarium Poultry Show Judge, \$50.00; Gary E Mikelson, CAA ECT Hearing, \$293.54; Gilbarco Inc, Service Contract, \$175.00; Grann, Mike, Honorarium Rabbit Show Judge, \$77.75; Gries, Jean, Special Election Worker, \$150.00; Harold's Photo Centers, Inv #775512, \$101.72; Hauff, Hazel, Special Election Worker, \$172.50; Headley, Marcella, Special Election Worker, \$167.25; Hecht, Harry, Special Election Worker, \$172.50; Heesch, Marilyn, Special Election Worker, \$140.00; Herrboldt, Ellen, Special Election Worker, \$170.00; Heylens, Kathy, Special Election Worker, \$152.92; Hogan, Tim, CAA CRI09-414, \$295.04; Holm, Bruce, Remote at Achievement Days, \$50.00; Hult, Larry, Special Election Worker, \$20.00; Human Service Agency, Psych Eval, \$450.00; Hy-Vee Food Store, Inmate Meals/Neighborhood Watch, \$10,408.45, Achievement Days Supplies, \$188.16; Hy-Vee Pharmacy, Inmate Meds, \$1,170.28; I-29 Truck Shop, Parts and Maintenance, \$1,753.92; Integrated Business Solutions, Hardware and Service, \$1,510.00; Inter-Lakes Comm. Action, Community Service Worker Funds, \$750.00; Ishol, Dorthy, Special Election Worker, \$160.00; Jackson County Sheriff's, Service of Subpoena, \$126.00; Jensen, Randy J., Zoning Mtg Mileage, \$10.73; Jerome B Johnson, Trans CAA Ordered, \$47.60, Transcript SA Ordered, \$81.60; Johnson, Miner, Marlow, W, CAA INV MI Hearing, \$157.43; Jones, Terri, Special Election Worker, \$150.00; Josephsen, Delores, Special Election Worker, \$170.00; Kenner Plumbing Company, Misc Parts for Water Truck, \$98.17; Kidwiler, Mary, Zoning Mtg Mileage, \$2.22; Kittelson, Joan, INV MI Hearing, \$15.00; Kleinjan, Darrel, Zoning Mtg Mileage, \$14.80; Knutson, Duane, Zoning Mtg Mileage, \$3.33; Knutzen, Sue, Special Election Worker, \$167.25; Kruse, Nelva, Special Election Worker, \$186.19; L&L Parts, Misc Parts, \$784.23, Parts, \$25.85; Linn, Norma, Special Election Worker, \$150.00; Loomis, Robb, Zoning Mtg Mileage, \$16.28; Lowe's, Epoxy Mix/12" Aluminum

Measure, \$124.00; Lyle Signs, Inc, Court Services/Parking Sign, \$58.46; M&T Fire & Safety Inc, First Aid Kit Refill, \$75.00, Aurora Fire Dept Gloves, \$509.69; M. Lee Smith Publishers L, SD Employment Law Letter, \$367.00; M.E. McCann, CAA JUV 09-0036, \$978.73; Martin's Inc, Hydraulic Fluid/Moly/Fuel, \$34,830.21; McGrath North Mullin & Kr, Labor Attorney Assistance, \$585.72; MCI, Long Distance Service, \$101.19; McKeever's Vending, Jail Supplies, \$281.60; Medical X-Ray Center, PMD, \$19.24; Mills Property Management, July 2009 Janitorial, \$165.35; Minnehaha Co. Juvenile, JDC Costs, \$2,025.00; Murwood Inc, Sh Trust, \$117,625.34; Nancy J Nelson, CAA CRIM 09-242/1883, \$323.90, CAA CRIM08-357, \$646.16; Northwestern Energy, Natural Gas/Shop and Office, \$21.82, Natural Gas, \$97.00, Natural Gas, \$41.65; Office Systems Inc, Jail Copier, \$44.84, Ledger/Calculator Paper, \$30.18; Olson, Gloria, Special Election Worker, \$150.00; Pennington County Jail, Transport Costs, \$174.00; Pike, Gloria, Special Election Worker, \$130.00; Pitney-Bowes Inc, Softguard Agreement Charges, \$123.00; Porters Toys For Big Boys, Carbon Brush Set/Supplies, \$136.01; Postmaster, Money for Bulk Acct Permit #68, \$400.00; Qwest, E911 Database, \$438.50; Razor's Edge Lawncare, July Services, \$600.00; Reh fuss, Cathy, INV MI Hearing, \$15.00; Reliance Telephone, Inmate Phone Cards, \$2,000.00; Renkley, Eunyce, Special Election Worker, \$155.00; RFD, Chip Seal Advertising, \$285.00; Rick Ribstein, CAA CRI08-676, \$122.75; Robbins, Jeff, Zoning Mtg Mileage, \$26.27; Robert G Fite, CAA 09-0152, \$688.80; Rochel, Robert, Zoning Mtg Mileage, \$14.43; Running's Supply Inc, Supplies, \$83.06; Schuneman Equipment Co, Supplies, \$375.67; Schwenk, Terry, COP Rent, \$200.00; SD Newspaper Service, RFP for Website, \$210.00; SDAAO, M & S Training Workshop, \$100.00; SDACC, Annual Convention Registration, \$2,080.00; SDSU Work Study Acc't., Work Study, \$28.55; Sinai City, Water/Sewer/Garbage, \$49.00; Sinai Legion, Special Election Rent, \$35.00; Slocum, Ida, Honorarium Horticulture, \$28.70; Smidt, Carol, Special Election Worker, \$165.00; Smith, Matt, Honorarium Swine Judge, \$124.00; Software Services Inc, Commission, \$360.00; Speedy Cleaners, Rugs, \$38.55, Rug Rental Service, \$29.80; Stee, Robyn, Honorarium Rabbit Showmanship, \$50.00; Stee, Ryan, Honorarium Photography Judge, \$25.00; Sterud, Mary, Special Election Worker, \$31.10; Sturdevant's Auto, Parts/Supplies, \$75.53, Supplies, \$325.81; Susan Brugger, CAA JUV08-0071, \$1,285.75; Swiftel Center, Multiplex Upkeep August, \$2,500.00; Tee's Plus, DARE Supplies, \$161.74; Telkamp, Barbara, Special Election Worker, \$150.00; Terry D Wiczorek PC, CAA 09-58 09-59, \$1,200.15, CAA 09-0006, \$399.28; Thurman, Creighton, ECT Hearing CIV 09-443, \$359.34, ECT Hearing CIV 09-450, \$359.34; Town & Country Shopper, Pocket Gopher Trapper Ad, \$90.00; Town, Helen M, Special Election Worker, \$145.00; United States Postal Serv, Postage Meter, \$1,000.00; Vandenberg Law, CAA CRI 09-0411, \$164.00, CAA JUV 09-51, \$512.50; Verizon Wireless, Monthly Charges, \$98.52, Cell Phone Charges, \$132.21, Monthly Service, \$82.17; Wagner RE Appraisal & Bld, Inspections, \$300.00, Inspections, \$1,200.00; Wahlstrom, LaRayne, Special Election Worker, \$150.00; Walmart Community, Stopwatch/Battery, \$35.95; Weiss, Carol, Special Election Worker, \$150.00; Wells Fargo Remittance Center, Credit Card Purchases, \$457.79; West Payment Center, Information Charges July, \$1,103.45; Wheelco Trucks & Trailer, Tie Down Straps and Winches, \$110.72; Williamson, Dorothy, Special Election Worker, \$155.00; Wiskur, Devona, Special Election Worker, \$170.00; Woolworth, Barbara, Special Election Worker, \$135.00.

Motion by Negstad, seconded by Santema to approve the following Automatic Supplement for unanticipated expenses incurred and reimbursement made to Brookings County. Department: Equalization; Amount: \$250.00, receipt #00047059; Reason: reimbursement for registration cancellation from line 101-3-369-0000 to line 101-4-162-4270. Roll call vote: Negstad "aye," Santema "aye," Falken "aye," Gregg "aye," Larson "aye." Motion carried.

Motion by Santema, seconded by Negstad to approve the following Automatic Supplement for unanticipated expenses incurred and reimbursement made to Brookings County. Department: Sheriff; Amount \$251.49, receipt #00047335; Reason: reimbursement from insurance for damage to Chevy Tahoe, less the deductible from line 101-3-369-0000 to line 101-4-211-4250. Roll call vote: Santema "aye," Falken "aye," Gregg "aye," Negstad "aye," Larson "aye." Motion carried.

The board discussed the costs of the August 11, 2009 Special Election.

REGULAR BUSINESS

Motion by Falken, seconded by Negstad to approve and authorize Chairperson Larson to sign Abatement #09-10: an application made by Associates Housing Finance in the amount of \$634.80. Equalization Director Joyce Dragseth recommended approval. Roll call vote: Falken "aye," Gregg "aye," Negstad "aye," Santema "aye," Larson "aye." Motion carried.

Motion by Gregg, seconded by Santema to approve and authorize Chairperson Larson to sign Agreement #09-52: an application made by Sioux Valley Energy for occupancy right-of-way of county highways. Highway Superintendent Larry Jensen recommended approval. Roll call vote: Gregg "aye," Negstad "aye," Santema "aye," Falken "aye," Larson "aye." Motion carried.

Motion by Falken, seconded by Santema to approve and authorize Chairperson Larson to sign Resolution #09-33: a resolution approving construction and operation of a proposed facility by South Dakota Soybean Processors to operate under the terms of a solid waste permit to be issued by the Board of Minerals and Environment. Planning and Zoning Director Robert Hill recommended approval. Commissioner Negstad asked if the topic could be delayed until Hill returned to further discuss the issue. Commissioner Falken said that SDSP has gone through the all the proper state regulations and Commissioner Larson said that the Zoning Board and the state have both approved it. Roll call vote: Negstad "abstain," Santema "aye," Falken "aye," Gregg "aye," Larson "aye." Motion carried.

RESOLUTION #09-33

BROOKINGS COUNTY COMMISSION

WHEREAS, South Dakota Soybean Processors desires to establish a Restricted Use Storage and Disposal Facility for the purpose of solid waste management; and

WHEREAS, Brookings County has approved siting the proposed facility; and

WHEREAS, the siting of this proposed facility is not in conflict with any established zoning laws or ordinances; and

WHEREAS, South Dakota Soybean Processors will file a solid waste application with the South Dakota Department of Environment and Natural Resources (DENR); and

WHEREAS, DENR will review that application to determine that the facility can be adequate to safeguard the environment; and

WHEREAS, DENR may recommend the approval of the permit with conditions adequate to safeguard the environment; and

WHEREAS, the Board of Minerals and Environment will review, modify, approve, or deny the permit if the tentative recommendations and/or conditions of the permit are contested by an interested party; and

WHEREAS, the County Commission of Brookings County is required by South Dakota law SDCL 34A-6-103 to approve of a solid waste facility prior to the issuance of a solid waste permit;

IT IS THEREFORE RESOLVED that the County Commission of Brookings County hereby approves the construction and operation of the proposed facility to be operated under the terms of a solid waste permit to be issued by the Board of Minerals and Environment.

APPROVED this 25th day of August, 2009 by the Brookings County Commission in regular session at Brookings, SD.

Donald Larson
Chairman
Brookings County Board of County Commissioners

ATTEST:

Vicki Buseth
Brookings County Finance Officer

Motion by Santema, seconded by Gregg to approve and authorize Chairperson Larson to sign Agreement #09-53: a Memorandum of Understanding allowing for the sharing of Geographic Information Systems Data between Brookings County and the City of Aurora. Commission Assistant Stephanie Vogel recommended approval. Roll call vote: Santema "aye," Falken "aye," Gregg "aye," Negstad "aye," Larson "aye." Motion carried.

The board discussed the cancellation of the purchase agreement for the properties located at 702 and 704 4th Street, Brookings following the outcome of the August 11, 2009 Special Election. Deputy States Attorney Mark Kratochvil said with the official canvass having taken place last week, the election nullifies the purchase of those properties for a one-year period. He said that he had placed a provision in the agreement contemplating that the election might cause this to happen.

Motion by Gregg, seconded by Negstad to recognize the referendum election results from the August 11, 2009 Special Election determined that the purchase of the properties at 702 and 704 4th Street, Brookings, SD be nullified, therefore the purchase agreement for those properties is cancelled and to direct the State's Attorney to notify the seller. Roll call vote: Falken "aye," Gregg "aye," Negstad "aye," Santema "aye," Larson "aye." Motion carried.

Commission Assistant and Human Resources Director Stephanie Vogel presented the Commission/HR report.

Vogel discussed correspondence received from a citizen regarding the trailer park on South Main, Brookings and the Open House invitation for the CapX2020 project. The board heard follow-up discussion on the drainage concern in the county right of way. Vogel discussed correspondence from the Department of Public Safety regarding the State Digital Radio Upgrade, from the SDACC regarding a Windustry Webinar, and from the Brown County Commission regarding an upcoming meeting to discuss regional public safety technology connectivity/interoperability. Vogel said that she had also heard from the Brookings County Historical Society and was updated on their construction project.

Commissioner Falken said that they need to further discuss the concerns with the trailer park on South Main because they keep getting complaints.

Deputy States Attorney Mark Kratochvil informed the board of his upcoming vacation. He also discussed the Nuisance Ordinance and asked the board if they would rather publish it as an amendment to the current ordinance or readopt the ordinance as a whole with its changes. His recommendation was to readopt the entire ordinance and publish the entire document. Be it noted, the board directed Kratochvil to move forward with readopting the entire ordinance.

The board heard a presentation on current routes being considered, the regulatory process and other information for the CapX2020 Project, a transmission line being proposed from the White substation east into Minnesota. Craig Poorker, routing lead for the project, spoke to the board.

COMMISSIONER'S REPORTS AND DISCUSSION

Commissioner Gregg reported on the Health Board meeting and the Mental Health Board meeting as well as a meeting he had with gubernatorial candidate Dave Knudson.

Commissioner Negstad reported on the Open House Retirement Party for Rose Stee.

Commissioner Falken reported on a meeting with State Senator Pam Merchant, the upcoming local review committee organizational meeting for Basin Electric, the upcoming Innovation Campus Open House, and the upcoming ag land valuation meeting in Huron.

Commissioner Larson reported on a meeting with State Senator Pam Merchant, and information on webinars.

Commissioner Santema reported on the Open House Retirement Party for Rose Stee, the RSVP meeting, and she gave an overview of the SDACC 2009 Proposed Resolutions and Policy Statements.

EXECUTIVE SESSION

Motion by Gregg, seconded by Negstad to enter into Executive Session at 9:40 a.m. for personnel reasons. Roll call vote: Gregg "aye," Negstad "aye," Santema "aye," Falken "aye," Larson "aye." Motion carried. The board came out of Executive Session at 9:56 a.m. No action was taken.

ADJOURNMENT

There being no further business, Chairperson Larson declared the meeting adjourned until 8:30 a.m. Tuesday, September 1, 2009.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in 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.

Stacy Steffensen
Deputy Finance Officer
Brookings County Finance Office

Published once at the total approximate cost of _____.