

BROOKINGS COUNTY COMMISSION MEETING

Tuesday, October 6, 2009

The Brookings County Board of County Commissioners met in regular session on Tuesday, October 6, 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 October 6, 2009 commission meeting was approved as amended 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 September 29, 2009 commission meeting.

Welfare Matters: Case #09-131 for county burial was approved; Case #09-120 for rent was denied.

Travel/Education Requests: Shawn Hostler to attend an M16/ARIS Operator Diagnostic Course November 8-10, 2009 in Pierre, SD; Stacy Steffensen and Kristen Whitchee to attend an Election Workshop November 17-20, 2009 in Pierre, SD.

ROUTINE BUSINESS

Community Health Nurse Trish Sterud presented the third quarter report from her department. Sterud reported on flu and H1N1 vaccinations, an upcoming POD exercise, school contracts, WIC changes and WIC numbers.

Planning and Zoning Director Robert Hill updated the board on wind towers, a joint planning commission meeting with the city of Brookings, and the October 27th public hearing in Volga regarding the pipeline ordinance.

Commissioner Santema noted that when it comes to wind towers or pipelines, the PUC members always mention that if counties have questions to contact Robert Hill from Brookings County and she said that he is an asset to our county.

REGULAR BUSINESS

Motion by Gregg, seconded by Santema to approve Disabled/Elderly Tax Freeze Application #09-03: a late application for an elderly and disabled application for assessment freeze for parcel #40235-00200-002-00. Finance Officer Vicki Buseth provided background information and recommended approval. Roll call vote: Gregg "aye," Negstad "aye," Santema "aye," Falken "aye," Larson "aye." Motion carried.

Motion by Falken, seconded by Negstad to approve Disabled/Elderly Tax Freeze Application #09-04: a late application for an elderly and disabled application for assessment freeze for parcel #40265-01500-081-00. Finance Officer Vicki Buseth provided background information and recommended approval. Roll call vote: Negstad "aye," Santema "aye," Falken "aye," Gregg "aye," Larson "aye." Motion carried.

Motion by Falken, seconded by Santema to approve and authorize Chairperson Larson to sign Agreement #09-56: the Emergency Management FFY2010 State and Local Agreement between the State of South Dakota and Brookings County. Deputy Emergency Management Director David Swisher provided background information and recommended approval. Roll call vote: Santema "aye," Falken "aye," Gregg "aye," Negstad "aye," Larson "aye." Motion carried.

Motion by Gregg, seconded by Santema to approve Resolution #09-36: a resolution approving the sale of real estate at public auction. Roll call vote: Falken "aye," Gregg "aye," Negstad "aye," Santema "aye," Larson "aye." Motion carried.

WHEREAS on Saturday, September 26, 2009, after due and timely legal notice, certain real property owned by Brookings County was sold at public auction; and

WHEREAS the property sold, the purchasers thereof and the highest price bid are as follows:

Description: Lot One (1) of the B.C.H.D. Addition in the Northwest Quarter (NW1/4) of Section Twenty-Seven (27), Township One Hundred Twelve (112) North, Range Forty-Seven (47) West of the 5th P.M., Brookings County, South Dakota. Purchaser: Lake Dreams, LLC. Bid Price: \$1,400.00.

Description: Lot Two (2) of the B.C.H.D. Addition in the Northwest Quarter (NW1/4) of Section Twenty-Seven (27), Township One Hundred Twelve (112) North, Range Forty-Seven (47) West of the 5th P.M., Brookings County, South Dakota. Purchaser: Wesley A. and Delrose Pegors. Bid Price: \$800.00.

Description: Lot Three (3) of the B.C.H.D. Addition in the Northwest Quarter (NW1/4) of Section Twenty-Seven (27), Township One Hundred Twelve (112) North, Range Forty-Seven (47) West of the 5th P.M., Brookings County, South Dakota. Purchaser: Omer J. and Ileen H. Ness. Bid Price: \$1,700.00.

Description: Lot Four (4) of the B.C.H.D. Addition in the Northwest Quarter (NW1/4) of Section Twenty-Seven (27), Township One Hundred Twelve (112) North, Range Forty-Seven (47) West of the 5th P.M., Brookings County, South Dakota. Purchaser: Barron A. and Nila J. Meyer. Bid Price: \$24,000.00.

Description: The South Four hundred ninety three (493) feet of the East Thirty three (33) feet of Government Lot four (4) in Section three (3), Township One hundred eleven (111) North, Range Forty seven (47) West of the 5th P.M., County of Brookings, State of South Dakota. Purchaser: Donald and Sheila Engelstad. Bid Price: \$600.00.

WHEREAS, it appears such sales were fairly and legally conducted and such prices are the highest prices to be attained at such public auction;

THEREFORE BE IT RESOLVED, that the above described sales of real property at public auction are hereby approved and the Chairperson is authorized to execute purchase agreements and Quit Claim Deeds to finalize such sales.

Dated this 6th day of October, 2009.

Donald L. Larson
Chairperson, County Commission

ATTEST:
Vicki Buseth
Brookings County Finance Officer

Planning and Zoning Director Robert Hill updated the board on the draft ordinance of the Transmission Pipeline Risk Reduction Overlay District.

The board discussed administrative space needs and their response to the Brookings City Council on a City/County Co-Located Facility.

Motion by Gregg, seconded by Falken to move forward with a joint city/county administrative facility if they have the blessing of all interested parties and a definite plan in place by Tuesday, December 29, 2009 and limit the properties to be considered to the properties known as the Southwest Property, the Napa Property and the 5th Street Gym Property.

Commissioner Santema said that if the motion passes, then they need to work very hard. She also noted that the county joined with the city several years ago on the Swiftel Center project and worked through a lot of problems. And now less than 20 years later, the county is being told that the uses between the city and county in that facility are no longer compatible. Santema said that they need to be sure that 20 years from now we won't be in the same position again with a joint administrative facility.

Commissioner Negstad said that once again they have been delayed. She said that it seems like they are unable to move and accomplish something that they need to do and have to do and be responsible to the tax payers. Negstad said that she feels a joint venture would be over-taxing and that the city would more than likely face a tax bonding issue, which is unfair to ask of tax payers in today's economy.

Commissioner Santema said that she wants to make sure they stay with the timeline mentioned in the motion. Commissioner Gregg said that if there is no definite plan in place by December 29th, then the county goes back to the original plan of building in the parking lot.

Commissioner Negstad questioned who would be on the committee.

Commissioner Larson said that it would include representatives from the council and commission and he would like to get as much citizen participation as possible. He believes this would be discussed at the first committee meeting. Brookings City Manager Jeff Weldon said that he has no official position on how to make up the committee, but it would possibly include the appointment of two councilmen and himself and then they would decide how to move forward with citizen participation from there. Commissioner Larson said that he and the mayor could make appointments from their boards and those appointees can get the group assembled. Commissioner Falken noted that if someone from the public is interested, they can let us know. Commissioner Negstad said that she still wasn't comfortable with how the citizens will be chosen.

Weldon also noted that the city's funding for a potential facility would probably be a second-penny issue and would squeeze out another project in order of importance. He also questioned what the deal breakers are for the December 29th deadline.

Commissioner Gregg said that for the Napa site it would be the purchase of the needed properties and the price, for the Southwest properties it would be the Historical Commission and the price and for the 5th Street Gym location it would be if there's enough space. He said that as long as they have a commitment on December 29th and know that it won't be referred or stopped by a special interest group.

Commissioner Falken said that what will really move this forward are if there are options to purchase in place and if the price is affordable. He also said that this process has to come to a conclusion at some point.

Commissioner Gregg said that it will be up to the board on December 29th to decide what will work or won't work depending on what information is available. Commissioner Larson said that if there is no momentum at that point, there probably won't ever be any. Commissioner Santema said that on the 29th the county and city need to be able to say it either is or isn't viable. Commissioner Negstad said she still feels the county is losing three months on its own project and if they start after the 29th, they'd be starting from square one.

Commissioner Falken said that the county can continue with the process of building their own building. They can visit with representatives from Pierre and decide if they'd want to use design build or a construction manager. He said that he doesn't want to sit and do nothing until December 29th. He thinks they can still get some of these types of things done and be ready to

move forward January 1st if that's the way it goes. Commissioner Gregg concurred with Falken saying they can do a lot of things now that won't affect either option.

Roll call vote: Gregg "aye," Negstad "no," Santema "no," Falken "aye," Larson "aye."
Motion carried.

Commissioner Larson said that he believes the committee that will be formed to look at a co-located facility will come back to the commission with a solid effort that the board can make a decision on by December 29th. Be it noted, Chairperson Larson appointed Commissioners Gregg and Falken to the committee to look at a co-located city/county administrative facility.

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

Vogel updated the board on a labor department hearing.

Commissioner Falken asked Vogel to continue moving forward in looking at design build versus construction managers to continue with the county's project of building on the parking lot. Vogel said that there is an individual in Pierre that is willing to come and discuss the differences; it's just a matter of scheduling him. She also noted that she can get the information on exactly what would be needed for the Historical Review process as well.

Commissioner Larson said that their charge is to give everything over to the committee in moving forward. Commissioner Santema said that she knows they're talking about the committee, but they're also talking about moving forward with the county's building in the parking lot. She said that they need to wait and see if the committee can come up with a decision, but they do not want to stop working on the parking lot issue.

COMMISSIONER'S REPORTS AND DISCUSSION

Commissioner Gregg reported on the special work session.

Commissioner Negstad reported on the special work session.

Commissioner Santema reported on the Research and Technology Center tour, the East Central Mental Health Foundation Board meeting, the Deer Creek PUC hearing in White, the 34th Avenue/20th Street meeting, the special work session, and a letter she received from Valerie Brown regarding her reappointment to the NACo Safety and Justice steering committee.

Commissioner Falken reported on the Research and Technology Center tour, the 911 rules hearing in Pierre, and the special work session.

Commissioner Larson reported on the Research and Technology Center tour, the Deer Creek PUC hearing in White, a presentation he attended by the United States Secretary of Agriculture and Representative Herseth-Sandlin in Bath, SD, and the special work session.

ADJOURNMENT

There being no further business, Chairperson Larson declared the meeting adjourned until 8:30 a.m. Tuesday, October 13, 2009.

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