

## FEBRUARY 25, 2025 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

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

### OPPORTUNITY FOR PUBLIC COMMENT:

Dirk Rogers, Highway Superintendent shared that he wanted to bring up load limits and have a discussion at the March 4<sup>th</sup> Commission meeting as to what date to put them on.

Dr. Becky Guffin, Superintendent of the Aberdeen Public Schools informed the Commission that it is Public Schools Week and wanted to say Thank-you to the County Employees, stating they wouldn't be able to do what they do without you. She also shared that all the interactions they have with the County Employees have been exemplary, whether it is an election question, tax question or school boundaries just to name a few. Dr. Guffin commented that Dirk is good to work with as well, they rely on him in the wintertime to make decisions about school closings regarding road conditions to keep students safe. She left some information that has been happening with the School District over the past year.

Commissioner Dinger shared that Commissioner Dennert, and his wife had a healthy baby boy last night. Congratulations to them and their family.

### AWARD BID FOR SMALL ANIMAL BARN:

Chairman Sutton shared that Rachel Kippely, Fair/Fairgrounds/Parks Manager wasn't able to attend the meeting but had sent her recommendation to accept the bid from Mega Construction in the amount of \$116,101.44, with \$11,101.44 in sponsorship leaving final price at \$105,000.00 based on the following reason: Mega Construction plans to use 28-gauge steel vs. JH Construction plans to use 29-gauge steel, going with thicker steel. Moved by Commissioner Gage, seconded by Wiese to approve Rachel's recommendation to award the bid to Mega Construction for final cost of \$105,000.00; rejecting bids from JH Construction for \$102,800.00; North Central Steel for \$128,372.00 and Quest for \$145,300.00. All members present voting aye. Motion carried.

### FIREWORKS PERMIT FOR BROWN COUNTY FAIR:

Moved by Commissioner Wiese, seconded by Dinger to approve and authorize Chairman Sutton to sign the Fireworks permit for RKM Fireworks (Joel Mann) to do a fireworks display on August 16, 2025 at the Brown County Fair. All members present voting aye. Motion carried.

### DISCUSS COUNTY LIEN:

Commission was sent a letter asking for a lien to removed from a property so the individual that was handling the estate could sell the property. Commissioner Gage moved to remove the lien from the property, there was not a second; so, the motion died due to lack of a second.

### MINUTES:

Moved by Commissioner Wiese, seconded by Dinger to approve the General Meeting Minutes of February 18, 2025. All members present voting aye. Motion carried.

### CLAIMS/PAYROLL:

Moved by Commissioner Wiese, seconded by Gage to approve the following claims/payroll:

Claims: Professional Fees: Aberdeen ED \$5,506.52; Avera St. Luke's \$434.88; Avera St. Luke's Hospital \$1,917.49; Bill Schaeffer \$16.00; Blackburn & Stevens, Prof. LLC \$204.73; Carrels & Bain Family Dental Care, LLC \$528.51; CenturyLink-Lumen \$239.50; Christy Griffin-Serr Law Office \$8,812.50; Cogley Law Office, Prof LLC \$1,380.00; Dohrer Law Office, PC \$2,494.00; Gregory DeClue \$1,000.00; Kuck Law Office \$1,218.00; Lenling Law Office, Prof. LLC \$1,080.00; Lewis & Clark BHS \$450.00; Lucy Lewno \$180.00; Mark Katterhagen \$16.00; Northeastern Mental Health Center \$75.00; Northern Plains OMS \$656.40; Taliaferro Law Firm, PC \$210.00; Yankton County Treasurer \$713.50. Publishing: Groton Daily Independent \$197.58;

McQuillen Creative Group, Inc \$698.72; Prevention Magazine \$300.00; Southwest Messenger Press, Inc \$89.04; The Dakota Scout \$12.64. Radios / Rentals: Advantage Self Storage \$276.00. Repairs & Maintenance: Big Scoop Snow Removal \$27.00; Interstate Powersystems \$969.86; K&S Plumbing, Inc \$945.28; Lawson Products, Inc. \$13.24; Montgomery's Furniture Inc \$420.00; Pro Ag Supply, Inc \$585.09; Quest Construction LLC \$83,800.00; Schwan Welding \$1,950.00; Vosika Fencing \$1,681.75; Western States Fire Protection Co \$2,070.00. Supplies: Amazon Capital Services, Inc \$1,012.27; Avera LTC Pharmacy Aberdeen \$9,729.09; Century Business Products \$242.39; Cole Paper Inc \$721.23; CommTech Inc \$1,731.06; Dakota Mailing & Shipping Equipment \$139.72; Erin Spencer \$70.00; Full Circle Ag \$2,582.22; Government Forms & Supplies \$280.41; Kuck Law Office \$23.25; Lawson Products, Inc. \$65.21; Leidholdt Tool Sales, LLC \$23.08; Lucy Lewno \$5.73; Marco Technologies, LLC \$19.14; Northern Truck Equipment Corporation \$709.45; Performance Oil \$304.20; Tyler Business Forms \$680.02. Travel & Conference: Chris Hemen \$54.00; Crossroads Hotel & Huron Events Center \$900.00; Dean Zumbaum \$28.00; Gregory DeClue \$5,548.64; Jerry Lehrkamp \$54.00; John Florey \$28.00; Joshua Ulmer \$28.00; Lenling Law Office, Prof. LLC \$80.00; Mike Rohrbach \$54.00. Utilities: Big Scoop Removal \$108.00; Dependable Sanitation, Inc \$580.00; T-Mobile USA Inc \$2,184.00; Verizon Wireless \$1,354.03.

Payroll: Commission \$4,896.51; Elections \$1,936.80; Auditor \$10,626.81; Treasurer \$18,515.35; SA \$36,800.36; Maintenance \$12,181.18; Assessor \$16,581.77; Register of Deeds \$10,905.91; VSO \$4,741.87; GIS \$2,946.49; IT \$10,005.68; HR \$5,556.18; Sheriff \$51,032.00; Jail \$71,059.83; Coroner \$750.00; Court Security \$8,114.65; JDC \$31,035.70; Welfare \$2,604.27; Museum \$13,101.38; Parks/Fairgrounds \$6,720.69; Fair Board \$3,626.65; 4-H \$877.20; Weed \$1,393.43; Planning & Zoning \$8,075.86; Highway \$60,590.92; Dispatch \$38,717.64; Emergency \$5,405.61; 24/7 Sobriety \$2,593.68; Landfill \$17,570.34; Meal Benefits \$56.00; FICA \$27,211.44; Medicare \$6,363.93; Discovery-HSA \$2,639.91; Health Insurance-Wellmark BCBS \$129,184.46; Dental Insurance-Delta \$9,122.58; Life Insurance-Dearborn \$1,068.62; Retirement-SDRS \$59,855.21. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Commissioner Wiese, seconded by Dinger to approve the following Human Resource Report submitted by Human Resources Director, Allison Tunheim:

- Hiring of Bradley Borge as Brown County Chief Public Defender, FT; starting wage \$5,384.61/pay period – effective April 1, 2025.

All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Commissioner Wiese, seconded by Dinger to approve and authorize Auditor Heupel to sign the Claim Assignments against individuals to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Commissioner Dinger, seconded by Wiese to approve the following abatements: For Tax Yr. 24PY25: Parcel #22455-\$98.99; Parcel #22592-\$98.99. All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Wiese to approve the following Travel Requests: Patricia Kendall & Brandon Duxbury from the Dacotah Prairie Museum to attend Aberdeen Day at State Capital on February 20, 2025 in Pierre. All members present voting aye. Motion carried.

#### ACKNOWLEDGE REVISED GOLF CART, ATV & UTV RULES & REGULATIONS FOR BCF:

Moved by Commissioner Dinger, seconded by Wiese to acknowledge the revised Golf Cart, ATV & UTV Rules & Regulations for the Brown County Fair. All members present voting aye. (A copy of the rules & regulations are available at the Brown County Fair Office).

#### LEASE AGREEMENTS:

Moved by Commissioner Wiese seconded by Gage to approve and authorize Chairman Sutton to sign the following Lease Agreements: Northern Electric Cooperative for lease of Holum Expo Building and adjacent parking lot on June 16-17, 2025 for the NEC Annual Meeting. All members present voting aye. Motion carried.

**ZONING ORDINANCES – SET HEARING DATE/AUTHORIZE ADVERTISING:**

Moved by Commissioner Wiese, seconded by Gage to set hearing date and authorize publication for the first reading of the following zoning ordinance to be held on March 18, 2025 in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. Proposed Ordinance #290, applicant Brown County Planning & Zoning for the purpose of rezoning from Agriculture Preservation District (AG-P) to Municipal District (M) to bring this parcel into compliance for its current use: Description of property: Lot 1, “First Replat of Dahme Northview Addition” in the SE1/4 of Section 1-T123N-R64W and the SW1/4 of the SE1/4 of Section 1-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (3015 N Dakota Street & 295 24<sup>th</sup> Avenue NE, Aberdeen Twp.). Proposed Ordinance #291, applicant North Western Energy – Robert Gehm/Owners: Donald Young and Harlan Young for the purpose of rezone Lot 1 & Lot 3 from Agriculture Preservation District (AG-P) to Heavy Industrial District (H-I) and rezone Lot 2 from the Multi-Zone District (M-Z) to Agriculture Preservation District (AG-P) to bring these three parcels into compliance for a future electric generating station on Lot 1, leaving public utilities on Lot 2, and a future liquefied natural gas plant on Lot 3: Description of property: *Proposed* Lot 1, Lot 2, and Lot 3, “NWE Generation Addition” in Section 25-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. (Lot 1 = 440 SW 135<sup>th</sup> St; Lot 2 = 270 SW 135<sup>th</sup> St; Lot 3 = 90 SW 135<sup>th</sup> St; Aberdeen Twp.). All members present voting aye. Motion carried.

**LEIKVOLD-RATH ADDITION PLAT:**

**RESOLUTION #2025-12**

Moved by Commissioner Dinger and seconded by Wiese and motion carried that the plat as shown hereon and as described on the accompanying plat of “LEIKVOLD-RATH ADDITION” in the SW ¼ of Section 26, Township 124 North, Range 64 West of the 5th P.M., in Brown County, South Dakota, be approved and accepted. Resolution adopted.

**NWE GENERATION ADDITION PLAT:**

**RESOLUTION #2025-13**

Commissioner Wiese brought the following resolution “Be it resolved by the County Commission of Brown County, South Dakota that the plat showing “NWE GENERATION ADDITION IN SECTION 25, TOWNSHIP 123 NORTH, RANGE 64 WEST OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA” having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.” Seconded by Gage. All members present voting aye. Resolution adopted.

**OTHER BUSINESS:** None

**EXECUTIVE SESSION:**

Moved by Commissioner Wiese, seconded by Dinger to go into Executive Session for Personnel and Contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

**ADJOURNMENT:**

Moved by Commissioner Wiese, seconded by Gage to adjourn the Brown County Commission at 9:57 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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