

MARCH 4, 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 Dennert, Dinger, Gage, Sutton and Wiese. Commissioner Gage 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: None

ORDINANCE #289 – SECOND READING/POSSIBLE ADOPTION:

Moved by Commissioner Wiese, seconded by Gage to adopt Ordinance #289. Petitioner Donald Johnston/Owners: Donald & David Johnston to rezone from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring these parcels into compliance for their current use: Description of property: Lot 1 & 2, “Johnston Subdivision” in the SE 1/4 of Section 24-T123N-R62W of the 5th P.M., Brown County, South Dakota (39996 134th Street & 13385 400th Avenue, Henry Twp.). All members present voting aye. Motion carried.

PUBLIC HEARING FOR TEMPORARY ALCOHOL PERMIT FOR A SPECIAL EVENT:

Time and place, as advertised for Public Hearing for a Temporary Alcohol Permit for a Special Event was held. Moved by Commissioner Dennert, seconded by Dinger to approve the following Temporary Alcohol Permit in conjunction with a Special Event for Stacy Gossman, DBA: Big Fella’s, Aberdeen, SD for Wedding held at Sumption Farm, Sec 30-T127N-R63 Brown County, SD; effective July 11, 2025. All members present voting aye. Motion carried.

4-H COMMUNITY BUILDING PRESENTATION:

Becca Tullar, 4-H Advisor and Rachel Kippley, Fair/Fairgrounds/Parks Manager met with the Commission to share their plans for a new 4-H Community Building. The building would replace the current Competitive Exhibits Building. Plans include an open space that can be used for 4-H Shooting Sports; club meetings; Fair Board meetings and potential rental space that can hold 400 people; classroom/meeting rooms; kitchen, bathrooms and cold storage. The kickoff will be held during the 2025 Brown County Fair, with hope of ground-breaking in 2026 to be completed by 2027 Brown County Fair. The estimated cost is \$2.5 – 3 million. Commissioner Sutton shared that Roberts and Grant County had recently updated their buildings and asked Becca to spearhead this project. It would be a multi-purpose building that could be used year-round. The Facility would be owned and maintained by the County. Commissioner Gage made a motion for the County to assign \$250,000.00 to the 4-H Community Building, seconded by Wiese. All members present voting aye.

CONTRACT FOR SMALL ANIMAL BARN:

Rachel Kippley, Fair/Fairgrounds/Parks Manager presented the contract with Mega Construction who was awarded the bid for the Small Animal Barn for approval and authorization for Chairman to sign. Moved by Commissioner Dennert, seconded by Wiese to approve and authorize Chairman Sutton to sign the contract with Mega Construction for \$105,000 plus 10-year Naming Right Sponsorship. All members present voting aye. Motion carried.

LOAD LIMITS:

Dirk Rogers, Highway Superintendent met with the Commission to discuss Load Limits. Dirk recommends that Load Limits go on effective Friday, March 7th.

Commissioner Wiese offered the following Resolution as of March 7, 2025:

RESOLUTION #2025-14

WHEREAS, SDCL 32-22-24 authorizes the proper authority to establish maximum axle and axle group loadings during the period of each year from February 15th to April 30th, inclusive, and

WHEREAS, SDCL 32-22-24 further provides that if highway and climatic conditions warrant, the proper highway authority may extend the time period mentioned by ordinance or resolution.

WHEREAS, SDCL 32-22-25 authorizes the proper authority to reduce the maximum weight and load of vehicles on specific roads without formal resolution where such road would be damaged or destroyed by heavy traffic by reason of thawing or excessive moisture.

WHEREAS, SDCL 32-22-25 further provides that notice shall be given by placing proper signage indicating the limitations of the gross weight of the vehicle on such specific roads.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission, per SDCL 32-22-24 extends the seasonal load restrictions established by Brown County Commission in regular session on February 6th (6-ton per axle and 40 MPH for trucks) from February 12th to April 30th or until roads become stable and further authorizes the posting of signage on all roads to be restricted in order to prevent damage or destruction by reason of thawing or excessive moisture.

FURTHER, BE IT RESOLVED that the Brown County Commission requests the South Dakota Department of Public Safety and the South Dakota Highway Patrol to enforce Annual Seasonal Load Restrictions on over weight limits, over width load limits, and speed limits on Brown County Roads during the February/March/April Spring thaw and breakup period that the roads are posted.

FURTHER, BE IT RESOLVED that all Brown County Oil Roads are posted at 6-ton per axle and truck speed of 40 MPH, except for the following:

1. Belt Loop around the City of Aberdeen
2. Road 4 from 24th Ave, North 1.0 mile to CR 13
3. Road 7 from US Highway 281 East 1.0 mile to Barnard and County Road 10
4. Road 9 from US Highway 281 East 1.0 mile to Westport and County Road 10
5. Road 9 from SD Highway 37 East 7.0 miles to Brown/Marshall County Line
6. Road 10 from County Road 13 (Prairiewood Road) South 1.0 mile to Road 15
7. Road 10 from County Road 19 (Melgaard Road) South 1.0 mile to County Road 14W
8. Road 11 from County Road 16 West 10.0 miles to US Highway 281
9. Road 11 .50-mile East of SD Highway 37 to Huffton
10. Road 11 from County Road 16 East 1 mile
11. Road 12 from 24th Ave NE 1 mile to County Road 13
12. Road 12W will not be posted from County Road 19 East to US Highway 281 (2.0 miles)
13. Road 12WA from US Highway 12 North 2.0 miles
14. Road 12WB from US Highway 12 North to County Road 12W
15. Road 13 from County Road 14 West 5.0 miles to US Highway 281
16. Road 14 from 126th St. South 7 miles to US Highway 12
17. Road 14W from US281 East 1.5 miles
18. Road 15 from US Highway 281 East 1 mile to County Road 10
19. Road 15 from 385th Ave East .50 mile
20. Road 15 from County Road 12 (Roosevelt Road) East 1.0 mile to County Road 19
21. Road 16 from the Town of Columbia South 0.5 miles to County Road 11
22. Road 16C from County Road 23 South 1 mile to Stratford
23. Road 19 from the JCT of CR 19 and CR 17 (8th Ave NE) North 1.0 mile to CR 15
24. Road 20 from County Road 9 South .02 miles to the railroad tracks
25. Road 23 from US Highway 281 East 1.0 mile to Warner and County Road 10
26. Road 23 from US Highway 281 West .25 miles
27. Road 23 from Road 16C for 10 miles East to SD Highway 37
28. Road 23B the Town of Ferney West to SD Highway 37
29. Road 27 from SD Highway 281 West 2.0 miles to the town of Mansfield
30. Frederick Main Street from US Highway 281 East 0.5 miles to the Frederick City Limits
31. Road 14W from Road 19, West 2.5 miles – 3 ton per axle

THEREFORE, BE IT FURTHER RESOLVED: That the Brown County Board of Commissioners authorizes the Brown County Highway Department Superintendent to place signage providing adequate notice of the reduced maximum weight of any vehicle on any improved highway of this County which, in his opinion, would be

damaged or destroyed by heavy traffic by reason of thawing or excessive moisture until the expiration of the 2025 seasonal load restrictions. SDCL 32-22-25

Seconded by Commissioner Gage.

Roll call vote: Commissioners Dennert-aye, Dinger-aye, Gage-aye, Sutton-aye, Wiese-aye. Resolution adopted.

AUTHORIZE CHAIRMAN TO SIGN CONTRACT AGREEMENTS FOR HIGHWAY:

Dirk Rogers, Highway Superintendent, presented the contracts he has received thus far for Gravel Material, Rental Equipment and Bituminous Plant Mix for approval and authorization for the Chairman to sign. Moved by Commissioner Wiese, seconded by Dennert to approve and authorize Chairman Sutton to sign the following contracts received thus far: Gravel Material - LG Everist, Jensen Rock & Sand, H.F. Jacobs & Son Construction, Hanlon Brothers and Hall Sand & Gravel; Bituminous Plant Mix – Jensen Rock & Sand and Lien Transportation; Rental Equipment – Webster Scale, H.F. Jacobs & Son Construction, Hanlon Brothers, Lien Transportation and B & B Contracting. All members present voting aye.

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent shared with the Commission that the County received the new Bridge Grant which is 80/20. IMEG is going to start the process for bids but will be extending the completion into 2026. They are still crushing and hauling gravel. Chairman Sutton asked for an update on the guardrail, Dirk has not heard anything at this time. Commissioner Wiese shared that the Legislators approved the Richmond Dam Funding and asked what the plans are for 14; Dirk says it in his plans but just not sure at this time how much will be done: minimum will be the worst part but if time and money allows, they will do more.

MUSEUM EXPANSION:

Patricia Kendall, Museum Director met with the Commission regarding the Museum Expansion and presented a revised Resolution for discussion. Chairman Sutton stated he appreciates that the Museum Foundation is willing to look at the possibility of expanding and appreciate their support and in the end if it is completed it will be a great addition to the Museum and the Community. Patricia stated that the Foundation will taking on the fundraising and construction while partnering with the County every step of the way. Commissioner Dennert asked how soon she thinks they will meet with the Commission & Foundation for a progress update; Patricia replied this summer; informing the Commission that the Foundation has interviewed and selected a Fundraising Consultant and member of the Foundation and herself have a get to know you meeting this afternoon – it is the Numad Group out of Rapid City, SD and their intentions are to try to keep everything within S.D. but some services are not offered within our State; plan to set an agenda for the next 3 months. Patricia, her staff and the Foundation are ready to go on this expansion project.

Commissioner Wiese moved to approve the following Resolution:

RESOLUTION #2025-11 (Revised)

A RESOLUTION IN APPROVAL OF BROWN COUNTY MUSEUM RENOVATION AND EXPANSION

WHEREAS, the Dacotah Prairie Museum is owned by Brown County and located at 21 South Main Street, Aberdeen, South Dakota since its opening on October 25, 1970.

WHEREAS, the Dacotah Prairie Museum was formerly the Northwestern Bank, the Haggerty Block, and the Western Union Building constructed from 1888 to 1890 on lots 7 and 8, block 8 of the original plat of Aberdeen.

WHEREAS, the current site of the Dacotah Prairie Museum has been listed in the National Register of Historic Places since December 12, 1976.

WHEREAS, Brown County also owns a parking lot adjacent to the north side of the Dacotah Prairie Museum.

WHEREAS, the Dacotah Prairie Museum Foundation, Inc., an independent nonprofit corporation, owns the collection and otherwise provides support for the museum.

WHEREAS, the Dacotah Prairie Museum Foundation is committed to investigating the possibility of an addition to the Dacotah Prairie Museum for the purposes of expanding educational opportunities as well as to exhibit more of the current collection.

WHEREAS, in order to begin fundraising efforts and planning for expansion the Dacotah Prairie Museum Foundation has asked Brown County to commit to the dedication of the north adjacent parking lot for expansion of the Dacotah Prairie Museum,

WHEREAS, the Dacotah Prairie Museum Foundation acknowledges that this project will lead to changes in parking availability for both the museum and the county offices. The foundation will collaborate with the County Commission to strategically plan for sufficient and accessible parking for both institutions,

WHEREAS, the Dacotah Prairie Museum Foundation will meet with the County Commission at a mutually agreed frequency to review fundraising and project progress, including financial feasibility studies. If both parties agree that fundraising goals cannot be met, this resolution may be rescinded and deemed void.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Brown County Commissioners does hereby agree to allow for expansion of the Dacotah Prairie Museum into the north adjacent parking lot should adequate funds be raised and as long as such expansion plans and construction do not endanger the Dacotah Prairie Museums status on the National Register of Historic Places.

Dated at Aberdeen, South Dakota, this 4th day of March, 2025.

Seconded by Commissioner Gage.

Roll call vote: Dennert-aye; Dinger-aye; Gage-aye; Sutton-aye; Wiese-aye. Resolution adopted.

MUSEUM ANNUAL REPORT:

Patricia Kendall, Museum Director gave the Commission an Annual Museum Report for 2024. Some of the highlights shared were they had over 400 classroom visits because they are in each of the schools in the County; new carpet was installed on the first and second floor; Average Daily Attendance was 69.7; had a Children's Traveling Exhibit; took in 3 new collections and currently they are remodeling the SW section on the 1st floor – Squire Gallery. They will be putting in a 1902 Montgomery Ward Buggy that is being donated by Casanova Family, continue the Brown County Town Stories and a birch-bark canoe will join the Red River display that was made by Dick Berreth.

MINUTES:

Moved by Commissioner Wiese, seconded by Gage to approve the General Meeting Minutes of February 25, 2025. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Dinger, seconded by Wiese to approve the following claims:

Claims: Professional Fees: Aberdeen Cardiology \$16.26; Aberdeen ED \$2,812.25; Aberdeen Imaging \$491.62; Aberdeen Orthopedics \$108.62; Acute Care Aberdeen \$249.91; Avera Medical Group Radiology \$499.17; Cogley Law Office, Prof LLC \$936.00; Dakota Group LLC \$2,500.00; Dakotabilities \$1,440.00; DEVNET \$3,789.84; Dohrer Law Office, PC \$396.00; East River Psychological Services, PLLC \$1,000.00; Fargo Teleradiology Prof. \$11.00; Helms & Associates \$3,055.00; Horizon Health Care, Inc \$79.94; Jerry McNeary \$1,728.00; Northeastern Mental Health Center \$832.00; Richardson, Wyly, Wise, Sauck & Hieb, LLP \$1,992.50; Sanford Clinic Aberdeen \$79.94; Sanford Health \$252.00; Schneider Geospatial, LLC \$3,060.00; SD State's Attorneys Association \$2,247.04; Zylstra Investigations \$1,620.00; US Bank Visa \$933.76. Publishing: McQuillen Creative Group, Inc \$191.24; US Bank Visa \$362.13. Radios/Rentals: Dakota Electronics LLC \$422.50; US Bank Visa \$285.99. Repairs & Maintenance: BB Sales \$1,237.26; EcoLab Pest Elimination Division \$118.47; Huff Construction Inc \$31,317.00; Interstate Powersystems \$775.00; Jake's Heating & Cooling \$105.00; K&S Plumbing, Inc \$1,231.96; Kone \$2,400.00; Lawson Products, Inc \$143.32; Precision Kiosk Technologies \$3,000.00; Premier Auto \$225.00; Schwan Welding \$9,398.31; US Bank Visa \$5,252.21. Supplies: Aberdeen Chrysler Center \$106.96; Aberdeen Parks, Recreation and Forestry \$20.00; Amazon Capital Services, Inc \$877.89; Century Business Products \$182.68; Great Western Tire \$5,330.88; Lawson Products, Inc \$2,069.97; Menards \$177.61; Midstates Group \$40.00; DSS Imaging – Monte Wahl \$96.00; Myers Tire \$27.06;

PharmChem, Inc \$1,151.34; Pitney Bowes Global Financial Services LLC \$4,163.27; Plumbing & Heating Wholesale, Inc \$766.14; Safety Service \$18.72; Schwan Welding \$8,647.54; SD Federal Property Agency \$40.00; Share Corporation \$471.60; South Dakota Law Review \$40.00; US Bank Visa \$8,004.53. Travel & Conference: Blue to Gold, LLC \$495.00; Dave Lunzman \$70.00; McKenzie Bierman \$18.00; Rachel Kippely \$18.00; Stacey Usselman \$18.00; US Bank Visa \$2,045.59. Utilities: AT&T Mobility \$143.74; Montana-Dakota Utilities Co \$88.93; Northwestern Energy \$5,007.25; US Bank Visa \$3,516.52. Others: Grand Jury participants \$18,774.66. All members present voting aye. Motion carried.

HR REPORT:

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

- Resignation of Shelley Wilkie, Brown County 911 Communications Officer, FT; effective February 24, 2025. Request to fill.
- Hiring of Holly Chavez-Pinela as Brown County Jail Detention Officer; FT; starting wage \$21.93/hr. – effective March 3, 2025.
- Re-hire of James Bissett as Brown County 911 Communications Officer, FT; starting wage \$23.04/hr. – effective March 3, 2025.
- Promotion of Anthony Sorensen from Brown County Sheriff Deputy to Brown County Patrol Sergeant, FT; starting wage \$33.37/hr. – effective March 2, 2025.
- Posting for:
 - Fairgrounds Seasonal Positions
 - Fair Intern Position
- Job description and title for Bartender.

All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Commissioner Gage, seconded by Wiese to approve and authorize Chairman Sutton to sign the following Lease Agreements: Brown County 4-H for lease of the Competitive Exhibits Building on May 21, 2025 for Trailer Safety Workshop; Kyle & Kristin Asleson for lease of the Richmond Lake Youth Camp Lodge on June 20-21, 2025 for Family Event. All members present voting aye. Motion carried.

APPROVE & AUTHORIZE ADVERTISING FOR THE WASTE TIRE REMOVAL BID:

Moved by Commissioner Wiese, seconded by Dennert to set hearing date and authorize advertising public hearing to open, read and consider bids for Waste Tire Removal at 8:45 a.m. on Tuesday, March 25, 2025 in the Commission Chambers, Courthouse Annex, Brown County, SD. Specifications may be viewed and obtained at the Brown County Landfill, Brown County Auditor's Office (during normal business hours) or via the Brown County website: www.brown.sd.us or www.publicpurchase.com. All members present voting aye. Motion carried.

APPROVE & AUTHORIZE ADVERTISING FOR THE WOOD WASTE GRINDING BID:

Moved by Commissioner Dinger, seconded by Dennert to set hearing date and authorize advertising public hearing to open, read and consider bids for Wood Waste Grinding at 8:45 a.m. on Tuesday, March 25, 2025 in the Commission Chambers, Courthouse Annex, Brown County, SD. Specifications may be viewed and obtained at the Brown County Landfill, Brown County Auditor's Office (during normal business hours) or via the Brown County website: www.brown.sd.us or www.publicpurchase.com. All members present voting aye. Motion carried.

APPROVE & AUTHORIZE ADVERTISING WEED & PEST CHEMICAL BIDS:

Moved by Commissioner Dennert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for weed and pest chemical at 8:45 a.m., on Tuesday, March 25, 2025, in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications may be viewed and obtained at the Brown County Auditor's Office (during normal business hours) or via the Brown County website: www.brown.sd.us or www.publicpurchase.com. All members present voting aye. Motion carried.

OTHER BUSINESS: None

EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Dinger to go into Executive Session for Personnel and Legal 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 10:20 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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