

## JULY 1, 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, Gage, Sutton and Wiese. Commissioner Dinger was absent. Commissioner Gage led the Pledge of Allegiance.

### APPROVAL OF AGENDA:

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

### OPPORTUNITY FOR PUBLIC COMMENT: None

### AVERA ADDICTION CARE CENTER:

Jodi Hepperle and Jessi Paysen with Avera Addiction Care Center met with the Brown County Commission to discuss their 2026 Budget Request. Jodi shared that their contract didn't meet the needs for their in-patients so they are requesting \$25,000.00 for 2026. No action taken.

### RESOLUTION #2025-31

Commissioner Wiese offered the following Resolution:

#### Resolution #2025-31 RELEASE OF PROPERTY LIEN

WHEREAS, Brown County has filed a Poor Relief Lien in the total amount of \$375.00, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, and

NOW, THEREFORE BE IT RESOLVED that Brown County will leave the lien on Josephine Smith for \$375.00 but removed from the following property in Brown County, SD which is described as follows:

The West Half of Lot 5, all of Lots 6, 7, 8 and 9, Block 27, First Addition to the Town of Frederick, Brown County, South Dakota

Dated this 1<sup>st</sup> day of July, 2025

Seconded by Commissioner Dennert. Roll call vote: Commissioners Dennert-aye; Dinger-absent; Gage-aye; Sutton-aye and Wiese-ay. Resolution adopted.

### PUBLIC HEARING – TEMPORARY ALCOHOLIC BEVERAGE PERMIT FOR SPECIAL EVENT:

Moved by Commissioner Wiese, seconded by Gage to approve the following Temporary Alcoholic Beverage Permit in conjunction with a Special Event for Malt Beverage License to SPURS Therapeutic Riding Center, Aberdeen, SD – SPURS 2<sup>nd</sup> Addition – NW ¼ of Sec 6-T123N-R63W, Brown County, SD; effective September 20, 2025. All members present voting aye. Motion carried.

### GIRL SCOUT CAMP LEASE AGREEMENT:

John Taylor and Amy Holland with Girl Scouts Dakota Horizons joined the meeting to discuss the Lease and Contract for the Girl Scout Camp at Richmond Lake. After some discussion, Commissioner Wiese moved to approve and authorize the Chairman to sign the Lease Agreement for Girl Scouts Dakota Horizon to lease the Richmond Lake Youth Camp on July 12 – 18, 2025. Seconded by Dennert. All members present voting aye. Motion carried.

### FIREWORKS PERMIT:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the Fireworks permit for Richmond Lake Association to do an Aerial Show at Edwards Preserve on July 3, 2025. Alternate date due to inclement weather is July 20<sup>th</sup>, 2025. All members present voting aye. Motion carried.

**ORDINANCE #299 – SECOND READING/POSSIBLE ADOPTION:**

Moved by Commissioner Dennert, seconded by Gage to adopt Ordinance #299. Applicant Jeff Brockel/Jacob Palmer to rezone from Highway Commercial District (HC) to Commercial District (C) to bring these parcels into compliance for their current use: Description of property: Lots 1 thru 10, “Todd Rosebrock First Subdivision” in the NW1/4 of Section 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (4095, 4185, 4275, 4365, 4395, 4390, 4360, 4270, 4180 & 4090 Paper Lane; Aberdeen Twp.). All members present voting aye. Motion carried.

**ORDINANCE #300 – SECOND READING/POSSIBLE ADOPTION:**

Moved by Commissioner Wiese, seconded by Gage to adopt Ordinance #300. Applicant Darian & Kimberly Browning to rezone from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use: Description of property: Lot 1, “Browning First Subdivision” in the SW1/4 of Section 35-T122N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota (14172 378<sup>th</sup> Avenue; Highland Twp.). All members present voting aye. Motion carried.

**ORDINANCE #301 – SECOND READING/POSSIBLE ADOPTION:**

Moved by Commissioner Wiese, seconded by Dennert to adopt Ordinance #301. Applicant Edward Price for Braun Family to rezone from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use: Description of property: Lot 1, “E. Price Addition” in the NW1/4 of the NW1/4 of Section 23-T121N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (14510 392<sup>nd</sup> Avenue; West Rondell Twp.). All members present voting aye. Motion carried.

**ORDINANCE #302 – SECOND READING/POSSIBLE ADOPTION:**

Second Reading of Proposed Ordinance #302. Amendment to Wind Energy Systems (WES) to the Brown County Title 4 Zoning Ordinances by replacing: Chapter 4.36, Wind Energy System (WES) with the proposed changes. Dawn Shepard voiced some concerns regarding Ordinance #302; she feels the setbacks are complicated; there are safety issues that need to be addressed; cost for things such as damage to county roads should be covered in the ordinance as well just to name a few. Dawn asks that the Commission refer this back to the Planning & Zoning Board to review these items. Scott Campbell was also in attendance, and he informed the Commission that he appreciates the setbacks for municipalities, and he approved of the Ordinance as written. After further discussion, Commissioner Wiese moved to refer Ordinance #302 - Amendment to Wind Energy Systems (WES) back to Planning & Zoning for further consideration. Seconded by Dennert. All members present voted aye. Motion carried.

**ORDINANCE #303 – SECOND READING/POSSIBLE ADOPTION:**

Second Reading of Proposed Ordinance #303. A new ordinance, Data Center being added to the Brown County Title 4 Zoning Ordinances of Brown County, Chapter 4.01 – Definitions; Chapter 4.16 – H-I District; An Addition to Title 4 Zoning Ordinances of Brown County with Chapter 4.38 – Data Centers. Chairman Sutton shared that Commission was contacted after the First Reading regarding some concerns and requested changes, so we were planning to refer this one back to the Planning & Zoning as well. Dawn Shepard asked that the Commission refer this Ordinance back to Planning & Zoning as well. Moved by Commissioner Wiese, seconded by Dennert to refer Ordinance #303 – Data Centers back to Planning & Zoning for further consideration. Commissioner Dennert commented that there are more details that need to be worked out on this Ordinance because we are breaking new ground on this one, compared to the Wind Energy we looked at other counties and feel we are very close, but Dawn Shepard brought up a few items to look at. All members present voting aye. Motion carried.

**MINUTES:**

Moved by Commissioner Gage, seconded by Wiese to approve the General Meeting Minutes of June 24, 2025. All members present voting aye. Motion carried.

**CLAIMS/PAYROLL:**

Moved by Commissioner Dennert, seconded by Wiese to approve the following Claims/Payroll:

Claims: Insurance: Insurance Plus \$1,278.31. Professional Fees: Amazon Capital Services, Inc \$779.00; Christy Griffin-Serr Law Office \$3,420.00; Cogley Law Office, Prof LLC \$1,212.00; Dohrer Law Office, PC \$1,530.00; Erick Messler \$3,050.00; Gellhaus & Gellhaus, P.C. \$160.00; Helms & Associates \$24,097.40; Horn Law Office

Prof LLC \$456.00; Houston Engineering, Inc \$18,933.61; Kristi Brandt \$65.25; Kuck Law Office \$2,400.00; Lenling Law Office, Prof. LLC \$1,980.00; Northeastern Mental Health Center \$2,450.00; Saber Shred Solutions \$6,263.78; Sanford Health \$588.00; SD Dept of Health \$40.00; Taliaferro Law Firm, PC \$3,222.00. Publishing: Groton Daily Independent \$366.57; McQuillen Creative Group, Inc \$1,217.84. Rentals: Advantage Self Storage \$276.00. Repairs & Maintenance: Ace Refrigeration, LLC \$2,620.38; Double D Body Shop \$6,949.68; EcoLab Pest Elimination Division \$132.12; Gary's Auto Body & Accessories \$45.49; Gillund Enterprises \$6.00; Graham Tire Inc \$20.25; Hub City Roofing Inc \$180.00; Jake's Heating & Cooling \$3,408.17; KONE \$3,581.85; Lawson Products, Inc \$98.20; Liedholt Electric, LLC \$337.67; Pheasantland Industries \$15.59; Precision Kiosk Technologies \$3,000.00; RDO Equipment Co \$720.00; Team Lab \$31,300.00; Titan Machinery \$1,102.93; Walk-N-Roll, Inc \$135.63; Webster Ace Store #17618 \$35.98. Supplies: Amazon Capital Services, Inc \$563.10; Century Business Products \$382.51; Cole Paper Inc \$3,469.81; Dakota Electronics LLC \$126.00; Fastenal Company \$551.72; FedEx \$38.00; Gary's Auto Body & Accessories \$39.00; Geffdog Designs \$50.00; Gillund Enterprises \$514.20; Government Forms & Supplies \$65.45; Graham Tire Inc \$609.58; Great Western Tire \$881.70; Hitch 'n' Post \$190.00; Jensen Rock & Sand Inc \$13,183.20; Kessler's \$44.90; Kuck Law Office \$92.48; LabSource, Inc \$1,908.02; Lawson Products, Inc \$1,418.18; Leidholdt Tool Sales, LLC \$258.59; Menards \$289.62; Midstates Group \$1,450.00; Midwest Pump & Tank \$106.00; Mike Janes \$16.94; Performance Oil \$24.74; Pheasantland Industries \$475.20; Premier Southern Ticket \$850.00; Probitas Promotions, LLC \$501.75; Regalia Manufacturing Co \$93.91; Runnings \$35.75; Shop 4-H/National 4-H Council \$125.20; Thomson Reuters – West Payment Center \$398.57; Titan Machinery \$425.27; Tri-State Water \$10.75; Walk-N-Roll, Inc \$1,340.00. Travel & Conference: Austin Ball \$14.00; Carrie Weisenberger \$34.16; Dale Kurth \$111.72; David North \$157.08; Erick Messler \$305.52; James Meyers \$31.50; Kayleene Holzer \$482.40; Kyle Couchey \$14.00; Lenling Law Office, Prof. LLC \$80.00; Neil Bittner \$14.00; Patrick Keatts \$33.88; Paul Johnson \$92.12; SDAAO – SD Association of Assessing Officers \$1,800.00; Stan Beckler \$18.20. Utilities: AT&T Mobility \$143.73; Montana-Dakota Utilities Co \$40.28; Northwestern Energy \$4,827.59; T-Mobile USA Inc \$136.65. Other: Office of Child & Family Services \$10,646.50; SD Dept of Agriculture & Natural Resources \$600.00. Machinery & Equipment: DT Auctions LLC \$37,900.00. Payroll: Commission \$4,896.51; Elections \$1,936.80; Auditor \$10,443.10; Treasurer \$18,430.41; SA \$36,544.62; Public Defender \$5,384.61; Maintenance \$12,451.50; Assessor \$16,581.77; Register of Deeds \$10,905.92; VSO \$4,741.87; GIS \$2,946.49; IT \$9,855.68; HR \$5,464.91; Sheriff \$61,281.14; Jail \$72,863.25; Coroner \$500.00; Court Security \$7,205.40; JDC \$34,928.14; Welfare \$1,002.11; Museum \$13,355.85; Parks/Fairgrounds \$10,631.19; Fair Board \$4,572.40; 4-H \$1,693.96; Weed \$5,708.71; Planning & Zoning \$9,412.80; Highway \$53,005.81; Dispatch \$39,289.18; Emergency \$5,498.55; 24/7 Sobriety \$2,689.03; Landfill \$19,427.93; Meal Benefits \$104.00; FICA \$28,741.34; Medicare \$6,721.86; HSA \$2,842.98; Health Insurance-Wellmark BCBS \$137,835.10; Dental Insurance-Delta \$9,589.38; Life Insurance-Dearborn \$1,127.78; Retirement-SDRS \$61,968.11. All members present voting aye. Motion carried.

#### HR REPORT:

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

- Resignation of Paige Hull, Brown County Jail Detention Officer, FT – effective June 26, 2025. Request to fill.
- Resignation of Lux Pettigrew, Brown County 911 Communication Officer, FT – effective June 26, 2025. Request to fill.
- Hiring of Kent Karlen as PT Brown County Transport Driver, starting wage \$26.72/hr. – effective June 30, 2025.
- Hiring of Tammy Spellman as Brown County Sheriff's Office Records Technician, FT; starting wage \$19.87/hr. – effective August 4, 2025.
- Moving Kelsi Vinger, JDAI Diversion Coordinator from 16F go 16J to accommodate grant not being renewed, wage \$2540.75/pay period – effective July 7, 2025.

All members present voting aye. Motion carried.

#### LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (LEMPG):

Moved by Commissioner Dennert, seconded by Wiese to approve and authorize Chairman Sutton to sign the 3<sup>rd</sup> Quarter Report for LEMPG Grant. All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Wiese to approve the following travel requests: Gene Loeschke, Sarah Swenson, Stephanie Morgan and Joe Kraft from DOE to attend SDAAO School in Sioux Falls on September 14-19, 2025; Jessica Puente-Castro from Dacotah Prairie Museum to attend Beginner Visual Thinking Strategies Training at SD Art Museum in Brookings on July 25, 2025. All members present voting aye. Motion carried.

**OTHER BUSINESS:**

District 3 Senator Perry gave the Commission an update on the Recidivism Task Force that he is serving on; discussed Reform, Recidivism, Incarceration and Rehabilitation. Senator Perry also informed the Commission that next week there is a meeting for the Prison Reset, that may be the last meeting for that.

Commissioner Wiese shared that there is an Interim Legislative Committee that has been and will continue to meet on Property Tax Relief. They will be in Aberdeen on August 13, 2025. Don't know specific time or place at this time.

**EXECUTIVE SESSION:** None

**ADJOURNMENT:**

Moved by Commissioner Wiese, seconded by Gage to adjourn the Brown County Commission at 9:30 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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