

JULY 22, 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 Dinger 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

SOLID WASTE SPECIAL ASSESSMENT FEE SCHEDULE:

Commissioner Wiese offered the following Resolution:

RESOLUTION #2025-33

WHEREAS Title 3, Solid Waste Management System, Chapter 3.07011 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners to establish the Solid Waste Special Assessment fee schedule for the following year.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Special Assessment fees shall be effective January 1, 2026 through December 31, 2026, for the Brown County Sanitary Landfill:

SOLID WASTE SPECIAL ASSESSMENT FEE SCHEDULE

(Assessment plus applicable sales tax billed with the Real Estate Tax Notice)

1. Households within Incorporated Cities or Civil Townships that require curbside service @ \$50.00 per year.
2. Households within Incorporated Cities or Civil Townships that do not require curbside service @ \$100.00 per year.
3. Condominiums taxed as single units within Incorporated Cities or Civil Townships that require curbside service @ \$50.00 per year.
4. Condominiums taxed as single units within Incorporated Cities or Civil Townships that do not require curbside service @ \$100.00 per year.
5. Apartment Units and Assisted Living Units within incorporated Cities that require curbside service @ \$25.00 per unit per year.
6. Seasonal Lake Cabins @ \$65.00 per year.
7. Mobile Home parks, outside incorporated municipalities, which provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility @ \$50.00 per unit per year.
8. Mobile Home parks, outside incorporated municipalities, which do not provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility @ \$100.00 per unit per year.

Dated this 22<sup>nd</sup> day of July, 2025

Seconded by Commissioner Gage.

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

SOLID WASTE TIPPING FEE SCHEDULE - 2026

Commissioner Wiese offered the following Resolution:

RESOLUTION #2025-32

WHEREAS Title 3, Solid Waste Management System, Chapter 3.07010 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners to establish the fees for use of the landfill.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Tipping Fee Schedule shall be effective January 1, 2026:

SOLID WASTE TIPPING FEE SCHEDULE

PRICES EXCEPT MINIMUM CHARGE DO NOT REFLECT APPLICABLE SALES TAX

ALL LOADS MUST BE TARPED AND SECURED

ALL WASTE MUST BE SORTED AND PUT INTO PROPER AREAS

Type	Fee
APPLIANCES	Refrigerators, Freezers, Air Conditioners, Dehumidifiers, Water Coolers \$12.50 per item
	With or Without FREON

ASBESTOS1	Friable – Powdery or Dusty state, can be crumbled and reduced to powder by hand	\$ 5.00 per bag
COMPOST	Grass, Leaves and Light Garden Residue	FREE
CONTSOIL	Gas and Diesel Contaminated Soil (Notification and Analysis Required Before Disposal!)	\$30.00 per ton
CONTSOILSP	Contaminated Soil Special (i.e. NW Energy, Coal Gasification & Other Like Material) Notification Required!	\$49.00 per ton
INDSW	Industrial Solid Waste	\$49.00 per ton
MSW1	Municipal Solid Waste (In County) Household trash, Sheetrock, Misc. Deo, Beef Plant, etc. (Check with Landfill for material not accepted)	\$49.00 per ton
MSW2	Municipal Solid Waste (Out of County) - same as MSW1	\$49.00 per ton
MSWCR	Rural container site collection waste	Assess per ton
MSWDA	Carcasses (Notification Required)	\$49.00 per ton
MSWRB	Asphalt Shingles Only	\$42.00 per ton
MSWRB2	Heavy Debris: Concrete, Rock etc.	\$42.00 per ton
RUBBLE3	Pallets / Other Wood Material	\$49.00 per ton
SCRAP METAL	Metals	\$49.00 per ton
SLUDGE	City Waste Water Sludge, Other Sludge	\$49.00 per ton
TIRES	Large quantities priced per ton	\$350.00 per ton
TIRES COUNT	Car and light truck	\$4.50 per tire
TIRE SHREDS	Shredded Tires (New Deal Tire - Shreds)	\$49.00 per ton
TREE CHIPS	Wood chips from trees	\$49.00 per ton
TREES1	Trees less than 8 inches in diameter	\$40.00 per ton
TREES2	Trees more than 8 inches in diameter	\$40.00 per ton
MOBILE HOMES	Mobile Homes (Left on site as is)	\$500.00/home
BP Spinal Cords	Spinal Cords – Beef Plant	\$49.00 per ton
BP Hides	Hides – Beef Plant	\$49.00 per ton
Other BP Waste	Other Beef Plant Waste	\$49.00 per ton

**\$5.00 MINIMUM CHARGE (EXCEPT ON PER ITEM FEES) 4.2 % SALES TAX INCLUDED**

The following items are accepted free:

Residential: Lead Acid Batteries, Waste Oil, Paint, Grass & Leaves, Propane Tanks

Dated this 22<sup>nd</sup> day of July 2025.

Seconded by Commissioner Gage.

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

**DISCUSS GRANT APPLICATION FOR BRIDGE 350:**

Dirk Rogers, Highway Superintendent, informed the Commission that he will not be going through the Grant Program to update Bridge 350. They plan to recycle the deck units, and the substructure is timber, but he feels they have enough steel on hand for this project but will have IMEG look and make sure that it will meet the requirements.

**HIGHWAY DEPARTMENT UPDATE:**

Dirk Rogers, Highway Superintendent, shared that they have completed the work up in the NE part of the County. They are turning around on Co. Hwy. 16. On Co. Hwy. 5, they will mill it and double-chip seal it. In about 4 weeks, they will be working down by Mansfield. Dirk told the Commission they received 2 bids on the Elm Lake Bridge, which will be raised up another 1.5 feet. Sand Lake Bridge will be done in Spring of 2026 and done within that year. Dirk discussed the e-mail received from a concerned citizen about car headlights on the frontage road of 12W. This was designed in 2001 and was done the way it was for future development. Commissioner Wiese asked if he was aware that SD D.O.T. had pushed back the 6<sup>th</sup> Ave. Bridge to 2027. Dirk said he was and had been in contact with Mark Peterson regarding the detour routes on Co. Hwy 13 & 14 and they are on the same page.

**BENEFIT PLAN AGREEMENT:**

Moved by Commissioner Dennert, seconded by Dinger to approve and authorize Chairman Sutton to sign the Benefit Plan Agreement with Health Equity, Inc. to qualify as “cafeteria plan”. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Commissioner Dinger, seconded by Wiese to approve the General Meeting Minutes of July 15, 2025. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Commissioner Gage, seconded by Wiese to approve the following Claims: Professional Fees: Aberdeen Advanced Care Ambulance \$988.34; Alcohol Monitoring Systems, Inc. \$1,036.80; Brown County Sheriff's Office \$20.00; Gretchen Sharp \$40.00; Horizon Health Care, Inc \$50.26; Jerald M. McNeary \$60.00; Kelli Lardy \$51.00; Kuck Law Office \$4,503.75; Lincoln County Auditor \$484.16; Modern Day Health Care PLLC \$1,202.67; Network Center, Inc \$9,218.29; Northeastern Mental Health Center \$1,943.75; Sanford Health \$1,050.00; Sewer Duck, Inc \$170.00; Smiths Detection, Inc \$2,141.00; Taliaferro Law Firm, PC \$1,044.00; Taylor Bell \$106.25. Publishing: Aanenson Media, LLC \$902.23; Groton Daily Independent \$138.37; McQuillen Creative Group, Inc \$1,301.66. Rentals: Advantage Self Storage \$276.00; Dakota Electronics LLC \$4,154.95. Repairs & Maintenance: Bituminous Paving, Inc. \$2,266,755.20; CommTech Inc \$8,742.45; Custom Installation Solutions \$500.00; Diamond Mowers LLC \$195.55; Diesel Machinery, Inc \$8,000.00; EcoLab Pest Elimination Division \$167.64; House of Glass \$544.41; Hoven Auto Repair, Inc \$194.42; Hub City Roofing Inc \$170.00; Leidholt Electric, LLC \$962.15; Lenslock Inc \$1,066.83; Lien Transportation Company \$625.00; Pantorium Cleaners Inc \$235.96; Steven Lust Automotive \$3,003.95. Supplies: A-1 Locksmithing \$160.00; ADAPCO LLC \$2,473.90; Advance Auto Parts \$647.52; Amazon Capital Services, Inc \$1,525.61; Bituminous Paving, Inc. \$8,499.38; Burdette Security & Technologies, LLC \$295.30; Century Business Products \$363.92; City of Aberdeen Treasurer \$8,250.00; Cole Paper Inc \$479.52; Diamond Mowers LLC \$461.52; Jebro Inc \$59,330.85; Jensen Rock & Sand Inc \$17,512.20; Kuck Law Office \$179.86; Lien Transportation Company \$18,222.30; Macks Auto Sales \$222.00; Marco Technologies, LLC \$88.21; Menards \$295.05; Network Center, Inc \$2,536.43; NVC \$34.74; Performance Oil \$863.50; Sander's Sew-N-Vac \$209.94; Share Corporation \$349.20; Sprocket Ventures, LLC \$81.00; Steven Lust Automotive \$3,202.27; Thomson Reuters – West Payment Center \$2,010.00. Travel & Conference: Bryan Gordon \$46.00; City of Groton \$184.68; Jon Lemke \$46.00; Kyler Dinger \$397.60; Lynn Heupel \$102.20; Lynn Zacher \$46.00; Neil Bittner \$14.00; Sarah Swenson \$14.00; Scott Kolb \$14.00; Wes Graff \$46.00. Utilities: CenturyLink \$647.52; City of Aberdeen Treasurer \$541.45; Dependable Sanitation, Inc \$580.00; House of Glass \$181.47; Northwestern Energy \$1,477.13; NVC \$3,270.77; T-Mobile USA Inc \$2,193.10; Verizon Wireless \$5,193.45. Other: Aberdeen Advanced Care Ambulance \$597.50; Central Network Retail Group LLC \$537.72; Lisa and James Kiesz \$50.00; Tony Arampatzis \$50.00. All members present voting aye. Motion carried.

#### HR REPORT:

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

- Employment ending for Trajan LaRocque, Brown County 911 Communications Officer; FT – effective July 11, 2025. Request to fill.
- Hiring of Richard Gearey as Brown County Building Service Worker, PT; starting wage \$16.48/hr. – effective July 21, 2025.
- Promotion of Ryan McClain from Brown County Sobriety Coordinator to Brown County Jail Sergeant, starting wage \$27.39/hr. – effective July 20, 2025.
- Approve personal miles driven for April 2025 at .70 per mile as follows: Joshua Matthews 252 miles at \$176.40; Matt Heupel 100 miles at \$70.00; John Florey 144 miles at \$100.80; Mike Scott 160 miles at \$112.00.
- Approve personal miles driven for May 2025 at .70 per mile as follows: Joshua Matthews 264 miles at \$184.80; Matt Heupel 100 miles at \$70.00; John Florey 126 miles at \$88.20; Mike Scott 180 miles at \$126.00.
- Approve personal miles driven for June 2025 at .70 per mile as follows: Joshua Matthews 228 miles at \$159.60; Matt Heupel 85 miles at \$59.50; John Florey 120 miles at \$84.00; Mike Scott 160 miles at \$112.00.

All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Dinger, seconded by Wiese to approve the following travel requests: Mariann Malsom, Register of Deeds and Patty VanMeter, Treasurer to attend the Lake Region District Meeting in Britton on July 17, 2025. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Commissioner Dennert, seconded by Wiese 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.

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

Moved by Commissioner Dinger, seconded by Wiese to set hearing date and authorize publication for the first reading of the following zoning ordinances to be held on August 12, 2025, in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. Proposed Ordinance #307, applicant Dennis Volzke for the purpose of rezoning from Residential District (R-1) to Highway Commercial District (HC) to bring these parcels into compliance for their current use: Description of property: The 500' west of the east 700' of the north 658' in the NW1/4 of Section 11-T123N-R64W, except highway R.O.W. and except H-1; Lot C, Block 12, "Wylie Park Estates 5<sup>th</sup> Addition" in the N1/2 of Section 11-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1421 24<sup>th</sup> Avenue NW & 1920 N Hwy 281; Aberdeen Twp.). Proposed Ordinance #308, applicant Roger Pic for the purpose of rezoning 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, "Brick Subdivision" in the SE1/4 of Section 31-T122N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota (14177 375<sup>th</sup> Avenue; Highland Twp.). Proposed Ordinance #309, applicant Mina Northeast LLC-Carl Hanson for the purpose of rezoning from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG), Agriculture Preservation District (AG-P) to Lake Front Residential District (R-3) and Mini-Agriculture District (M-AG) to Lake Front Residential District (R-3) to bring these parcels into compliance for their current use: Description of property: Lot 1 thru 4, 6, 8, 9, 10, Block 1; Lot 1, Block 2; Lot 2, Block 4; Lot 1 thru 6, Block 3; all of "Mina Lake Northeast Addition" in the S1/2 of Section 7-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13147, 13151, 13155, 13159, 13163, 13167, 13174, 13178, 13182, 13186 N Sunrise Drive; 37334 & 37345 Dusk Drive; 13135, 13184 & 13193 Feickert Drive; 37344 132<sup>nd</sup> Street; Mercier Twp.). All members present voting aye. Motion carried.

#### WW RENTALS FIRST ADDITION PLAT:

##### RESOLUTION #2025-34

Commissioner Gage brought the following resolution "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "WW RENTALS FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE NE ¼ OF SECTION 29-T125N-R62W 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 11-3, and any amendments thereof." Seconded by Wiese. All members present voting aye. Resolution adopted.

#### OTHER BUSINESS:

Senator Carl Perry shared that the County Employees have SD State Retirement, but they can also enroll in a Supplemental Retirement Plan that has lower fees but greater returns.

Chairman Sutton thanked those that attended the Lake Region Meeting last week. It was a good meeting.

#### EXECUTIVE SESSION:

Move by Wiese, seconded by Dennert to go into Executive Session for Contracts per SDCL 1-25-2. All members present voting aye. Motion carried.

The Chair declared the Executive Session closed with No Action taken.

Moved by Commissioner Dinger, seconded by Wiese to approve and authorize Chairman Sutton to sign the agreement with North Star Solutions, LLC to provide Grant Research and Writing Services to Brown County, SD. All members present vote aye. Motion carried.

Moved by Commissioner Gage, seconded by Wiese to forgo the bid bond requirement from Marathon Engineering Corporation that will be installing the Padded Cell in the Jail. Deputy State Attorney Ross Aldentaler

stated that since we entered into a contract via the quote, there was no need for a bid bond. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Commissioner Dennert, seconded by Wiese to adjourn the Brown County Commission at 9:35 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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