## AGENDA

## BROWN COUNTY PLANNING/ZONING COMMISSION REGULAR SCHEDULED MEETINGS

TUESDAY, FEBRUARY 20, 2024 – 7:00 PM
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT
(STAIRWAY AND ELEVATOR ACCESS TO BASEMENT)

I.	Call t	to Order: for <u>Brown County Planning</u>	/Zoning Commission	
11.		Call: David North - Vice Chair, Dale Kur ity Commissioner Mike Gage, and Stan		e Weisenburger,
III.	Appr	oval of, February 20, 2024, Agenda:	Motion: 1 <sup>st</sup>	2 <sup>nd</sup>
IV.	Appr	oval of January 16, 2024, Minutes:	Motion: 1 <sup>st</sup>	2 <sup>nd</sup>
		<b>ZONING BOAR</b>	D OF ADJUSTMEN	NT
v.	Old E 1. 2.	to speak to the Board on any Agenda <u>Permits</u> : Anyone present that has sul Zoning Board of Adjustment (BOA) is	omitted a <u>Variance Request</u> or <u>Condition</u> still required to get their required <u>PER</u> Cheir Petition gets approved. Penalties	onal Use Petition to the MITS from the Zoning
VI.	New	Business: Brown County Planning/Zon	ing Commission as <mark>Zoning Board of Ac</mark>	ljustment (BOA).
	1.	A STATE OF THE STA	Preservation District (AG-P) described ection 14-T126N-R61W of the 5 <sup>th</sup> P.M., Shelby Twp.)	Constitution ( Constitution of the Constitutio
	2.		ini-Agriculture District (M-AG) describe R63W of the 5 <sup>th</sup> P.M., Brown County, S	
	3.		Preservation District (AG-P) described 1/2 of the SW1/4 of Section 7-T121N- 144 <sup>th</sup> Street, Warner Twp.)	- 100 m
VII.	Othe	r Business:		
		Completed as Zoning Board of Adjus	tment (BOA) & going to Planning Com	mission



# BROWN COUNTY PLANNING/ZONING COMMISSION REGULAR SCHEDULED MEETINGS

TUESDAY, FEBRUARY 20, 2024 – 7:00 PM
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT
(STAIRWAY AND ELEVATOR ACCESS TO BASEMENT)

### **PLANNING COMMISSION**

II.	New Business: Brown County Planning/Zoning Commission as Planning Commission.
	<ol> <li>Preliminary &amp; Final Plat for financial purposes on a property described as "Tunby Addition" in the N1/2 of Section 14-T126N-R61W of the 5<sup>th</sup> P.M., Brown County, South Dakota (40437 &amp; 40455 114<sup>th</sup> Street, Shelby Twp.)</li> </ol>
	11. <u>Preliminary &amp; Final Plat</u> for conveyance purposes on a property described as "Warner Dairy First Addition" in the E1/2 of the SW1/4 of Section 7-T121N-R63W of the 5 <sup>th</sup> P.M., Brown County, South Dakota (38824 144 <sup>th</sup> Street, Warner Twp.)
III <mark>.</mark>	Other Business: Executive Session if requested.
IV.	Motion to Adjourn: 1 <sup>st</sup> 2 <sup>nd</sup>

**Old Business:** 

### **MINUTES**

## REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY JANUARY 16, 2024 - 7:00 P.M.
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- I. Call to Order: Brown County Planning/Zoning Commission meeting was called to order by Stan Beckler Chairman.
- II. Roll Call: Members of the Brown County Planning/Zoning Commission present for roll call were David North Vice-Chairman, James Meyers, County Commissioner Michael Gage who serves on this Board (per SDCL 11-2-2), Carrie Weisenburger, Dale Kurth, Pat Keatts, and Stan Beckler Chairman. Alternate Paul Johnson was also in attendance in the audience.
- III. Agenda: After discussion, Gage moved and Keatts seconded to approve this January 16, 2024, Planning/Zoning Commission Agenda. All members voted aye; motion carried.
- IV. Minutes: After discussion, Keatts moved and Kurth seconded to approve the December 19, 2023, Planning/Zoning Commission Minutes, all members voted aye; motion carried.

#### V. Old Business:

- 1) Sign-up Sheet: at door entrance on the table for anyone to speak on an Agenda Item.
- 2) <u>Permits</u>: Anyone present that has submitted Zoning Board of Adjustment (BOA) items such as a Variance Petition (VP) or Conditional Use Petition (CUP) is still required to get their required PERMITS from the Zoning Office before starting their project if their request gets approved.
- VI. Annual Election of Officers for 2024 Planning/Zoning Commission:
  - Gage nominated Stan Beckler as Chairman, Weisenburger seconded, Keatts motioned to close nominations. All Members voted aye; nomination carried.
  - Gage nominated David North as Vice Chairman, Weisenburger seconded, Keatts motioned to close nominations. All Members voted aye; nomination carried.
- VII. New Business: Planning/Zoning Commission as Zoning Board of Adjustment (BOA)
  - 1) Variance to Building Setbacks in a Rural Urban District (RU) described as Lot 2, "South Dakota Wheat Growers Railroad Addition" in the NW1/4 of Section 17-T123N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota (952 Railroad Avenue; Bath Twp). Submitted by Aaron Dosch for Agtegra. Aaron Dosch for Agtegra and Dale Boynton for Bath Township were in attendance for this item. Following discussion, Meyers moved, and North seconded to approve the Finding of Facts (FoF) as presented. Also following discussion, Meyers moved, and North seconded to approve a Variance to Building Setbacks to allow a minimum of five (5) feet from the south property line rather than a minimum of twenty (20) feet required with the stipulation that Scott Bader visit site and verify building size, all members voting aye, motion carried. Scott did visit site to verify size of 68' x 19' foundation for permit.

### **MINUTES**

### REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, JANUARY 16, 2024 - 7:00 P.M.
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- Old Business: Discussion on Amendments to Brown County Ordinance Title 4 for Chapters 4.22 through Chapter 4.29 on Administrative Rules and Enforcement are still Tabled until further notice, by Ross Aldentaler, Deputy States Attorney.
- II. New Business: Planning Commission
  - 10) Rezone Petition for a property described as Lot 2, "Brock Fischer Richmond Lake Addition" in the NE1/4 of Section 23-T124N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota (127277 West Shore Drive; Ravinia Twp) to be rezoned from Mini-Agriculture District (M-AG) to Lake Front Residential District (R-3) for Lot 2 (1.31± acres). Submitted by Alvin & Nancy Haugen. Alvin Haugen was in attendance for this item. Following discussion, North moved, Weisenburger seconded to recommend approval of the Rezone Petition to the Board of Brown County Commissioners, all members voting aye, motion carried.
  - III. Other Business: None
  - IV. Adjourn: There being no further business before the Planning/Zoning Commission, Kurth moved and Keatts seconded to adjourn the meeting, all members voting aye, motion carried.

Submitted by: Planning/Zoning Director Scott Bader.

## STAFF REPORT

Meeting: February 20, 2024

### BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

VARIANCE FOR LOT SIZE IN AG-P

ITEM #01

(Agriculture Preservation District (AG-P)

**GENERAL INFORMATION:** 

OWNER:

Tunby Land Limited Partnership

PETITIONER:

Tunby Land Limited Partnership

REQUEST:

VARIANCE FOR LOT SIZE IN AN AGRICULTURE

PRESERVATION DISTRICT (AG-P)

LEGAL DESCRIPTION:

Proposed Lots 1 & 2, "Tunby Addition" in the

N1/2 of Section 14-T126N-R61W of the 5th P.M.,

Brown County, South Dakota

ADDRESS:

40437 & 40455 114th Street

CITY/TOWNSHIP:

Shelby Twp

EXISTING ZONING

SURROUNDING ZONING:

Agriculture Preservation District (AG-P)

North:

Agriculture Preservation District (AG-P)
Agriculture Preservation District (AG-P)

South: West:

Agriculture Preservation District (AG-P)

East:

Agriculture Preservation District (AG-P)

PUBLIC UTILITIES:

**BDM Water** 

REPORTED BY:

Chris Anderson

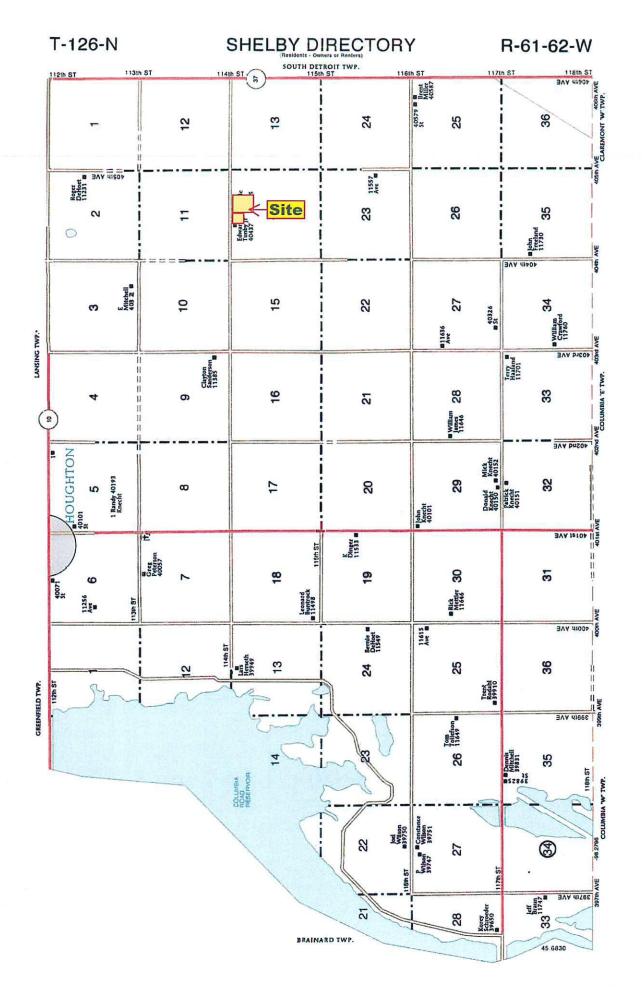
GENERAL COMMENT: The petitioner is requesting a Variance to Lot Size to allow Lot 1 (20.00 acres) and Lot 2 (7.00 acres) to be smaller than 40.0 acres and stay zoned as Agriculture Preservation District (AG-P) per Chapter 4.0605 of Brown County Ordinances.

GENERAL REVIEW: Staff has reviewed this request.

## BROWN COUNTY PLANNING & ZONING COMMISSION

### APPLICATION FOR VARIANCE

		pproved / Denie		
Planning Commis	ssion Action: A	pproved / Denie	d	
Planning Commis	ssion Action: A	pproved / Denie	d	
	(40437 &	40455 II4th Street	: Shelby	Twp)
		the 5th P.M., Brown		
	ON: Proposed L	ots I & 2, "Tunby A	ddition"	in the N1/2 of
Ordinances	ica as / gi icaital e i	. coc. racion pionice (	/ ۲۰۰	
				O acres) to be smaller than Chapter 4.0605 of Zoning
OWNERS PHONE: _		XX-XXX-XXX <i>(</i>	00 00	60 6227
OWNERS CITY, STA	TTE, ZIP: H	ougnton, SD 5/449	15-80	Van. 19, 2024
OWNERS ADDRESS	S:40	455   14th Street		Deneral Martner Jan. 19, 2024 35-6355
OWNERS SIGNATU	RE:Tı	unby Land Limited Pa	rtnershi	P Lang tunby
	•			
TOWNSHIF:	SHELBY	<b>ү</b> р	DATE	January 11990 C
TOWNSHIP:				January 19, 3024
$\nu_{HI}$ $_{HI}\nu_{II}$ $_{II}$	871872			\$125.00 YES/NO CHK/CASH
DATE: RECEIPT #	januar / 20, 202			4 1 2 0 1 0 0



### **NOTICE OF HEARING**

Application has been made to the Brown County Planning/Zoning Commission for a <u>VARIANCE PETITION</u>. Hearing will be held in the Courthouse Annex Basement Community Room, on <u>Tuesday</u>, <u>February 20</u>, <u>2024</u>, <u>at 7:00 P.M.</u>

Petitioner / Owner: Tunby Land, LP

Description of property: Proposed Lots 1 & 2, "Tunby Addition" in the N1/2 of Section 14-T126N-R61W of the 5<sup>th</sup> P.M., Brown County, South Dakota (40437 & 40455 114<sup>th</sup> Street, Shelby Township).

Reason: Variance to Lot Size in an AG-P District to allow Lot 1 and Lot 2 to be smaller than 40.0 acres and stay zoned Agriculture Preservation District (AG-P) per Brown County Ordinances 4.0605.

The public is invited to attend the hearing to present comments and testimony regarding the proposed Variance to Lot Size request.

Dated this 7th day of February, 2024.

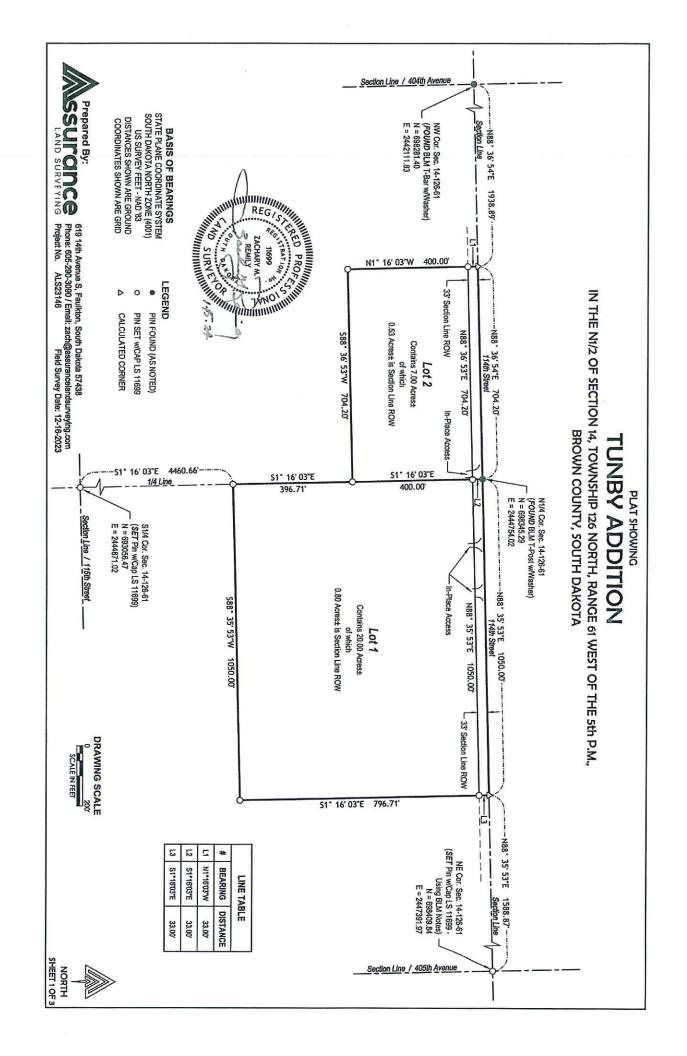
Planning/Zoning Commission & Scott Bader – P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published once at the total approximate cost of \_\_\_\_\_.

### (Tunby Land, LP)

### VARIANCE FINDINGS WORKSHEET

Prong C			
Whether granting the variance runs	counte	r to th	e public interest?
Consider the entire public—not just the neighbors			Findings
1. Does it injure the neighborhood?	Yes	No X	
2. Does it conform to the neighborhood?	Yes	No	
3. Does it conform to the general purpose of the zoning ordinances?	Yes	No	Zoning Ordinance allows a Variance to Lot Size when approved by the Planning/Zoning Comm. per 4.0605.
4. Does it conform to the comprehensive plan currently in place?	Yes	No	
5. Does it harm the public safety, health, or general welfare of the community?	Yes	No X	
Prong To Whether special conditions exi		ant a	variance?
Physical conditions—not money or econ hardship			Findings
<ol> <li>Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property?</li> <li>*Explicitly state the condition on the property that is</li> </ol>	Yes	No X	Zoning Ordinance allows a Variance to Lot Size when approved by the Planning/Zoning Comm. per 4.0605.
a special condition if one exists.  *It <i>must</i> be a physical condition.  *Exception: legal justification (for example, estoppel) is a special circumstance.			20
a. If a special condition exists, does enforcing the ordinance create an unnecessary hardship?	Yes	No	
*That does <i>not</i> mean money, econ hardship, or allowing a use that's prohibited ( <i>i.e.</i> , not otherwise excluded) in the zoning district.			
b. If a special circumstance exists, does granting the variance observe the ordinance's spirit while doing substantial justice.	Yes	No	



#### PLAT SHOWING

### **TUNBY ADDITION**

IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

COUNTY COMMISSION APPROVAL	TREASURER'S CERTIFICATE
I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota.	I hereby certify that all taxes which are liens upon any of the lands included in the attached plat are shown by the records of my office to be fully paid.
Meeting held on the day of, 20	Signed this day of, 20
County Auditor Brown County, South Dakota	County Treasurer Brown County, South Dakota
"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing:	
"TUNBY ADDITION IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5TH 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."	DIRECTOR OF EQUALIZATION CERTIFICATE  I hereby certify that I have received a copy of this plat.  Dated this day of, 20
COUNTY PLANNING COMMISSION APPROVAL I hereby certify that the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota.  Meeting held on the day of , 20 .	Director of Equalization Brown County, South Dakola
Secretary of County Planning Commission Brown County, South Dakota	REGISTER OF DEEDS' CERTIFICATE Filed for record thisday of, 20,
"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing:  "TUNBY ADDITION IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5TH P.M.,	atO'clockM., and duly recorded as Hanging Plat No
having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.	Register of Deeds Brown County, South Dakota



#### PLAT SHOWING

### **TUNBY ADDITION**

IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5th P.M., **BROWN COUNTY, SOUTH DAKOTA** 

#### **OWNER'S CERTIFICATE**

Tunby Land Limited Partnership, a limited partnership, does hereby certify that it is the owner of the Northeast Quarter (NE1/4) and Northwest Quarter (NW1/4) of Section Fourteen (14), Township One Hundred Twenty-Six (126) North, Range Sixty-One (61) West of the 5th P.M., Brown County, South Dakota, and that it has caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as:

"TUNBY ADDITION IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA"

and that development of this land shall conform to all existing applicable	zoning, subdivision and sediment control regulations.
Owner: Tunby Land Limited Partnership, a limited partnership	
Lars Tunby General Partner Print Name & Title  Lors Tunby Signature  Signature	ned this 19 day of January , 20 24.
Signature	
STATE OF Down Dakota) ss On this 19 day of Tanvory, 20 24, before me, a	notary public, the undersigned officer, personally be the Genesal Member, of Tunby Land Limited Partnership, a
limited partnership, and that he/she as such General Memb	be the strength of the strengt
proposed therein contained, by signing the name of the corporation by hir	
In witness whereof I hereunto set my hand and official seal.  My Commission Expires:	D. Chris Canderson
SURVEYOR'S CERTIFICATE  I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owner, I have surveyed and platted:  "TUNBY ADDITION IN THE N1/2 OF SECTION 14,	TOWNSHIP HIGHWAY APPROVAL  "Existing Access to 114th STREET is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."
TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA"	
as shown on the attached plat, that I have found and/or set iron pins as indicated thereon, and that said survey and plat are true and correct.	Print Name & Title
ZACHARY M/REMILY, LS 1699	Signature
Signed this 15th day of January 20 24.	Signed thisday of, 20
~	



### **Brown County Zoning Office**

(for reference use only)



### **Brown County Zoning Office**

(for reference use only)



Tunby Land, LP 40455 114<sup>th</sup> Street Houghton SD 57449

Shelby Township C/O Charles Knecht 302 Elm Street Houghton SD 57449

### AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA § COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

Brown County
Tunby Variance Notice
Published Feb. 7, 2024 for \$13.18
Invoice No. 22969

Newspaper Representative's Signature

Subscribed and sworn to before me this the

7th Day of February 2024

to certify which witness my hand and seal of office.

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel Print or Type Name of Notary Public

My Commission Expires January 24, 2030 Bond Number: 107962682



NOTICE 2024 Brown County Microsur-

facing Project Sealed Bids will be received facing Project
Sealed Bids will be received
by the Commissioners of Brown
County, 25 Market Street, Aberdeen, South Dakota, 57401,
(605) 626-7110, until 8-45 AM
local time on Tuesday, the 13th
day of February 2024 for the
above referenced project. Bids
shall be prepared and submitted in accordance with the Bidding Documents. Brown County
reserves the right to accept or
reject any and/or all Bids as se
forth of the Bidding Documents
for the Bidding Documents
son, such bids will be publicly
opened and read alloud.
The Project includes the following Work:
Microsurfacing for approximaterial box of the Sourhand of the Sourhand
Scratch Course and Surface
Course.
Additional items as set forth in

Additional items as set forth in

Additional items as set forth in the Contract Documents.

The Work to be performed under this contract shall be substantially completed by September 6, 2024.

Each bid shall be accompanied by Bid Security as described in

Each bid shall be accompanied by Bid Security as described in the Bidding Documents. The Successful Bidder will be re-quired to provide Payment and Performance Bonds as described

in the Bidding Documents.

Bidding documents may
be viewed and obtained at www.questcdn.com by enter-ing QuestCDN project number 8938832. If you need assistance with the website, please contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.

om. ATTEST: Lynn Heupel, Brown bunty Auditor Published Jan. 31 and Feb. 7,

2024, at the total approximate cost of \$31.46 and may be viewed free of charge at www. sdpublicnotices.com. 22940



NOTICE TO ASPHALT CON-CRETE PLANT MIX SUPPLIERS CRETE PLANT MIX SUPPLIERS
Sealed bids will be received
in the Chambers of the Brown
County Board of Commissioners at the Court House Annex,
Aberdeen, South Dakota, until
the hour of 8:45 A.M., February 20, 2024. At said time and
place all bids will be publicily
opened, read, and considered
for producing, furnishing all
materials and delivery of Asphalt
Concrete Plant Mix Materials for
road maintenance and construc-

Concrete Plant Mix Materials for road maintenance and construc-tion on Brown County System of Roads, E.O.B. Brown County, South Dakota. Proposal Guaranty: No de-posit or bid bond will be required at time of bid opening. Contract Notice: Brown Coun-ty will give notice to the success-ful bidder that his proposal has been accepted and said bidder shall within ten (10) days there-after enter into a contract with Brown County.

arter enter into a contract with Brown County. Contract for Asphalt Plant Mix Materials shall be firm and will be in effect for a period of one (1) year from April 1, 2024 to March 31, 2025.

31, 2025. See The Market Street, and delivered to be offered and to be delay marked on the outside of the newlope: BIDS ON ASPHALT CONCRETE PLANT MIX MATERIAS' to be opened on February 20, 2024. The Brown County 20, 2024. The Brown County beard of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Brown County.

deem to be in the best of they be of the order of Brown County. Bid shall include all applicable taxes and fees for materials furnished and/or installed baxes and fees for materials trainished and/or installed baxes and fees for materials supplied by the County. Brown County is exempt from all Federal Excise Tax and State Sales Tax. Section 320.5 – Basis of Payment: "A" – Asphalt Concrete Plant Mix Materials for Maintenance and Construction. The accepted quantities of Asphalt Plant Mix will be paid for at the contract unit price per ton.

Attest: . Lynn Heupel, Brown

County Auditor
Published Feb. 7 and 14,
2024, at the total approximations of \$38.63 and may be viewed free of charge at www.



NOTICE TO ROAD CONTRAC-TORS AND MACHINERY DEAL-

TORS AND MACHINERY DEAL-FRS
Sealed bids will be received in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Ab-erdeen, South Dakota, until the hour of 8:45 a.m. on February 20, 2024. At said time and place all bids will be publicly opened, read and considered for furnishing Full Operation Rental Services of Gravel Trucks and Road Machinery for construction and maintenance repairs on Brown County Road Projects for the year 2024. Successful bidders will be working along with Brown County Highway Department Forces, Brown County Landfill Forces and the Brown County Falginground Forces to complete the projects.
Proposal Guaranty: No deposit or bond will be required at time of bid opening.
Performance Bond: Brown County Filips was not be the County will give notice to the

performance Bond: Brown County will give notice to the successful bidder that his proposal has been accepted, and said bidder shall within ten (10) days thereafter enter into a contract with Brown County and said bidders shall then be required to furnish the following: Certificates of Insurance as per Bid Specifications or Requested from Brown County. Brown County must be listed as additional insured on all Certificates of Insurance.

of Insurance.
Contract for Rental Equipment shall be firm and will be in effect for a period of one year from March 1, 2024 to February 28, 2025.
Envelopes containing bids shall be addressed and delivered to the Brown County Auditor, 25 Market Street, Aberdeen, South Dakota 57401, and to be clearly marked on the outside of the Market Street, Aberdeen, South Dakots 57401, and to be clearly marked on the outside of the envelope: "BIDS FOR RENTAL OF EQUIPMENT" to be opened february 20, 2024. The Brown County Board of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Brown County. Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and all applicable taxes and fees for materials supplied by the County. Brown County is exempt from all Federal Excise Tax and State Sales Tax. Attest: Lynn Heupel, Brown County auditor
Published Feb. 7 and 14, 2024, at the total approximate cost of \$41,94 and may be viewed free of charge at www.forushilarnoties.com, 22966

viewed free of charge at w sdpublicnotices.com. 22966



NOTICE TO ROAD OIL SUP-

NOTICE TO ROAD OIL SUP-PUIERS
Sealed bids will be received in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Aberdeen, South Dakota, until the hours of 8:45 A.M. on February 20, 2024 at said time and place all bids will be publicly opened, read and considered for producing, furnishing and delivery of Road Oil to the Brown County, System of Roads, Fo.D. Brown County, South Dakota. Item (A) Cutback Asphalt Road Oil – MC-70 Item (B) Cutback Asphalt Road Oil – MC-3000 Item (C) Emulsion Asphalt Road Oil – CSSIH Attests. Lynn Heupel, Brown

Attest: .Lynn Heupel, Brown County Auditor Published Feb. 7 and 14, Published Feb. 7 and 14, 2024, at the total approximate cost of \$15.45 and may be viewed free of charge at www. sdpublicnotices.com. 22967



NOTICE TO GRAVEL PRO-DUCTION CONTRACTORS AND SUPPLIERS

Sealed bids will be received in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Aberdeen, South Dakota until the hour of 8:45 A.M. on February 20, 2024 at said time and place all bids will be publicly opened, read and considered for furnishing and delivery of ONE (1) YEARS SUPPLY OF ROAD CONSTRUCTION AND MAINTENANCE GRAYEL MATERIALS.
Proposal Guaranty: No de-

GRAVEL MATERIALS.
Proposal Guaranty: No deposit or bid bond will be required
at time of the bid opening.
Performance Bond: Brown
County will give notice to the
successful bidder that his proposal has been accepted and
said bidder shall within ten
(10) days thereafter enter into
a contract with Brown County
and furnish a performance bond
in accordance with the bid as
accepted or as required by the
Brown County Highway Department Superintendent. Brown
County must be listed as addi-County must be listed as addi-tional insured on all Certificates

tional insured on all Certificates of Insurance.
Envelopes containing bids shall be addressed and delivered to the Brown County Auditor, 25 Market Street, Aberdeen, South Dakota 57401, and to be clearly marked on the outside of the envelope: "BIDS ON GRAVEL AGGREGATE MATERIALS" to be envelope: "BIDS ON GRAVEL AGGREGATE MATERIALS" to be opened February 20, 2024. The Brown County Board of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Brown County. Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and all applicable taxes and fees for materials supplied by the Contractor and all applicable taxes and sea of the Contract or all supplicable taxes and sea of the Contract for GRAVEL MATERIALS shall be firm and will be in effect for a period of one (1) year from April 1, 2025. ATTEST: Lynn Heupel, Brown County Auditor Published Feb. 7 and 14.

ATTEST: Lynn Heupel, Brown County Auditor Published Feb. 7 and 14, 2024, at the total approximate cost of \$37.53 and may be viewed free of charge at www.sdpublicnotices.com. 22968



NOTICE OF HEARING Application has been made to the Brown County Planning/ Zoning Commission for a VARI-ANCE PETITION. Hearing will be held in the Courthouse Annex Basement Community Room, on Tiesday, February 20, 2024, at 7:00 Petitioner / Owner: Tunby Land, LP NOTICE OF HEARING

Land, LP
Description of property: Proposed Lots 1 & 2, "Tunby Addition" in the N1/2 of Section 14-T126N-R61W of the 5th P.M. Brown County, South Dakota 40437 & 40455 114th Street,

(40437 & 40455 114th Street, Shelby Township). Reason: Variance to Lot Size in an AG-P District to allow Lot 1 and Lot 2 to be smaller than 40.0 acres and stay zoned Agriculture Preservation District (AG-P) per 2. 4.0605.

The public is invited to attend the hearing to present comments and testimony regarding the proposed Variance to Lot Size

request.
Dated this 7th day of Febru-ary, 2024. ary, 2024. Planning/Zoning Commis-

sion &
Scott Bader – P&Z Director
25 Market Street
Aberdeen, 50 57401
Office: (665) 626-7144
Published February 7, 2024, at the total approximate cost of
\$13.18 and may be viewed free of charge at www.sdpublicnotices.com. 22969



NOTICE OF HEARING

NOTICE OF HEARING
Application has been made
to the Brown County Planning/
Zoning Commission for a VARIANCE PETITION. A hearing will
be held in the Courthouse America
Boom, on February 20, 2024, at
7.00 PM.
Petitioner / Owner: Matt &
Lisa Gebhart
Description of present and the present

Description of property: "Claeys' Outlot A" in the SE1/4 of Section 20-T128N-R63W of the 5th P.M., Brown County, South Dakota (38954 104th Street,

Sm P.M., Brown County, Sourin Dakota (38954 104th Street, Savo Twp.).
Reason: A Variance for Building Setbacks in a Mini Agriculture District (M-AG) to be 50°-0" from the South Front Yard properly line rather than 100°0" required in Brown County Zoning O'rdinances to bring this pre-existing, non-compliant building into compliance as well as proposed 21" west side and 14' east side additions.
The public is invited to attend the hearing and to present comments and testimony regarding proposed variance request.
Dated this 7th day o'f February, 2024
Planning/Zoning Commission and

sion and
Scott Bader - P&Z Director
25 Market Street
Aberdeen, 50 576-01
Office: (605) 626-7144
Published February 7, 2024, at the total approximate cost of
\$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 22970



NOTICE OF HEARING
Application has been made
to the Brown County Planning/
Zoning Commission for a VARIANCE PETITION. Hearing will be
held in the Courthouse Annex
basement Community Room, on
Tuesday, February 20, 2024, at
7:00 P.M.
Pettioner / Owner: Warner
Dairy for Silverstreak Dairies LLC
Description of property: Proposed Lot 1, Warner Dairy First
Addition\* in the E1/2 of the
SW1/4 of Section 7-T121N-R63W
of the Sth PH, Brown County,
South Dakota (38224 144th
Street, Warner Township).
Street, Warner Township).
Reason Variance block Size
Reason Variance Size
The public is invited to attend
the hearing to present comments

and testimony regarding the proposed Variance to Lot Size

request. Dated this 7th day of February, 2024. Planning/Zoning Commis-

Planning/Zoning Commis-sion & Scott Bader – P&Z Director 25 Market Street Aberdeen, 5D 57401 Office: (605) 626-7144 Published February 7, 2024, at the total approximate cost of \$13.18 and may be viewed free of charge at www.sdoublicno-

of charge at www.sdpublicno-tices.com, 22971



UNDFFICIAL PROCEEDINGS
OF BOARD OF EDUCATION
GROTON AREA SCHOOL DISTRICT NO. 06-6
SPECIAL BOARD MEETING
January 30, 2024
President Gengerke called
the meeting to order at 7:00
a.m. in the GHS Library Conference Room. Members present: Filehs, Gengerke, Harder, Lerseth-Filehs, Pharis, Rix, and Weismantel. Others present were Supt. J. Schwan, Principal B. Schwan, and Business Manager Hubsch.
Moved by Rix second Weismantel to approve the agenda as written. Motion carried.
Pursuant to SDCL 23-3, there was no potential conflict disclosure reported.
Members of the public are allowed five minutes to address the board on any topic of their choice. With no public members requesting to speak, the board proceeded with their agenda items.
Moved by Harder, second

Moved by Harder, second Weismantel to approve the General Fund Opt Out Resolution 2024-001, for \$1,250,000 for a ten-year term. Motion carried.

THE GOVERNING BOARD OF GROTON AREA SCHOOL DISTRICT 06-6 do state that the above said board is unable to operate under the tax limitation measure currently in statute for the General fund. We, therefore, OPT OUT of such tax limitation in the amount of \$1,250,000. OPT OUT of Such tax limitation in the amount of \$1,250,000. Starting with the calendar year 2024 taxes payable in the calendar year 2025. This opt out will be for ten years, which will be through taxes payable in the calendar year 2021 This action has been taken by the board and approved by at least a two-thirds vote of the board. This decision more proportion of the decision along the state of the start of the registered voters in the district and filled with the governing body within twenty days of the first publication of this decision. Unless this action is referred to a vote of the people and reversed Inst publication of this decision.

Unless this action is referred to a
vote of the people and reversed
by such vote, this resolution
authorizes the county auditor to
spread an excess levy to raise
tax dollars in the above-stated

tax dollars in the above-stated amount.

The board continued the preliminary discussion of the football cooperative with Langford School District. A basic questionnaire that was filled out in the past and was revisited by the board members on what a football coop would look like. Once Langford completes their community meeting and Langford participation numbers are determined, the board will revisit the questionnaire and revise it. No action was taken.

Moved by Harder, second Pharis to adjourn at 7.47 pm. Motion carried.

Becky Hubsch, Business Man-

Becky Hubsch, Business Man-

ager Deborate Deborat

as official.
Published February 7, 2024,
at the total approximate cost of
\$27.55 and may be viewed free
of charge at www.sdpublicnotices.com. 22972





January 9 - March 7, 2024 10:00 a.m. CST / 9:00 a.m. MT

CCA Credits Available.

#### Weekly Topics

Feb, 13-15 .. Sunflower and Pulse Crop Production Feb. 20-22 ... Climate and Business Management Feb, 27-29 ... Forage Production March 5-7 ... Specialty Crop Production

Scan the QR code to register for this free webinar or go to extension.sdstate.edu/crop-hour



SOUTH DAXOTA STATE
University the South Dairy
University Extrasion
Department of Agicalium 1
October 10 July 1

#### ATTENTION GROTON SCHOOL TAXPAYERS:

NOTICE OF PROPERTY TAX INCREASE OF \$1,250,000 RESOLUTION FOR OPT OUT

THE GOVERNING BOARD OF GROTON AREA SCHOOL DISTRICT 06-6 do state that the above said board is unable to operate under the tax limitation measure currently in statute for the General fund. We, therefore, OPT OUT of such tax limitation in the amount of \$1,250,000 starting with the calendar year 2024 taxes payable in the calendar year 2025. This opt out will be for ten years, which will be through taxes payable in the calendar year 2034 This action has been taken by the board and approved by at least a twothirds vote of the board. This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters in the district and filed with the governing body within twenty days of the first publication of this decision. Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above-stated amount.

Sianed Deborah Gengerke, Board Chairman Tigh Fliehs, Board Member Travis Harder, Board Member Heather Lerseth-Fliehs, Board Member Kara Pharis, Board Member Grant Rix, Board Member

Martin Weismantel, Board Member

Date-January 30, 2024

Published January 31, 2024, at the total approximate cost of \$82,50 and may be viewed free of charge at www. sdpublicnotices.com. 22973

## STAFF REPORT

Meeting: February 20, 2024

### BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

#### VARIANCE TO BUILDING SETBACKS

ITEM #02

Mini-Agriculture District (M-AG)

#### **GENERAL INFORMATION:**

OWNER:

Matt & Lisa Gebhart

PETITIONER:

Matt & Lisa Gebhart

REQUEST:

VARIANCE TO BUILDING SETBACKS IN

A MINI AGRICULTURE DISTRICT (M-AG)

LEGAL DESCRIPTION:

"Claeys' Outlot A" in the SE1/4 of Section

20-T128N-R63W of the 5th P.M., Brown

County, South Dakota

ADDRESS:

38954 104th Street

TOWNSHIP:

Savo Twp

EXISTING ZONING:

Mini-Agriculture District (M-AG)

**SURROUNDING ZONING:** 

North:

Agriculture Preservation District (AG-P)

South:

Agriculture Preservation District (AG-P)

West:

Agriculture Preservation District (AG-P)

East:

Agriculture Preservation District (AG-P)

PUBLIC UTILITIES:

**WEB Water** 

REPORTED BY:

Chris Anderson

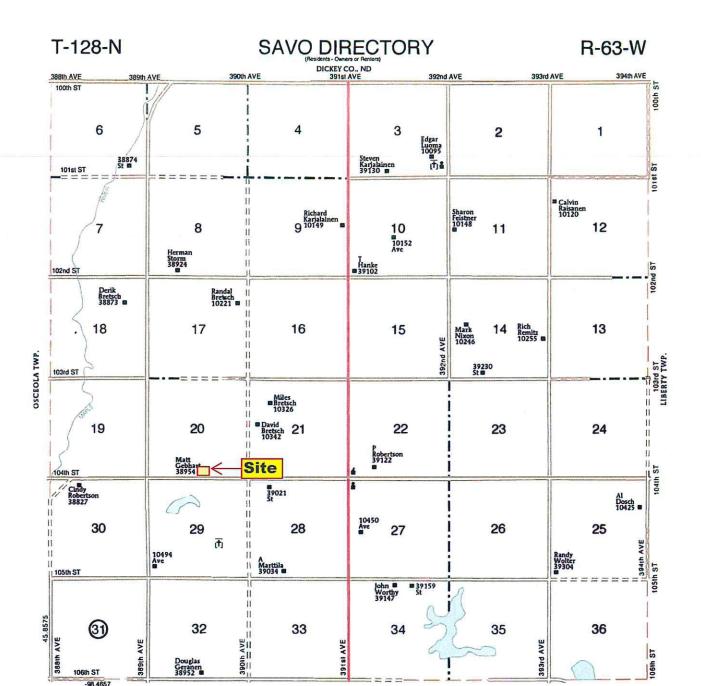
GENERAL COMMENT: The petitioner is requesting a Variance to Building Setbacks in a Mini-Agriculture District (M-AG) to have a 50'-0" South Front Yard Setback rather than the 100'-0" required by Brown County Ordinance to bring this pre-existing, non-compliant building into compliance as well as proposed 21' west side and 14' east side additions.

GENERAL REVIEW: Staff has reviewed this request.

## BROWN COUNTY PLANNING & ZONING COMMISSION

### APPLICATION FOR VARIANCE

DATE:	January 19, 2	024	FEES: \$125.00
RECEIPT #	821874		PAID: YES/NO CHK/CASH
	Savo Twp.		DATE: January 25, 2024
OWNERS SIGNA	ATURE:	Matt & Lisa Gebhart	MNTG black 1/25/24
OWNERS ADDR	RESS:	38954 104th Street	7 7 1
		Frederick, SD 57441	
OWNERS PHON	IE:	(320) 980-7589	
AGENTS ADDRA AGENTS CITY, S AGENTS PHON Petitioner is requ REQUEST: to ha by Brown County	ESS:	Yard Setback rather than	Mini Agriculture District (M-AG) the 100'-0" setback required liant building into compliance les. ton the east side.
Planning Com	nmission Action	: Approved / Denied	I
By:			Date:
HEARING	DATE: Feb	oruary 20, 2024	_TIME: 7:00pm



106th ST -98.4657 Douglas Geranen 38952

RICHLAND TWP.

ST

106th

#### **NOTICE OF HEARING**

Application has been made to the Brown County Planning/Zoning Commission for a <u>VARIANCE PETITION</u>. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on <u>February 20, 2024, at 7:00 P.M.</u>

Petitioner / Owner: Matt & Lisa Gebhart

Description of property: "Claeys' Outlot A" in the SE1/4 of Section 20-T128N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (38954 104<sup>th</sup> Street, Savo Twp.).

Reason: A Variance for Building Setbacks in a Mini Agriculture District (M-AG)) to be 50′–0″ from the South Front Yard property line rather than 100′-0″ required in Brown County Zoning Ordinances to bring this pre-existing, non-compliant building into compliance as well as proposed 21′ west side and 14′ east side additions.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

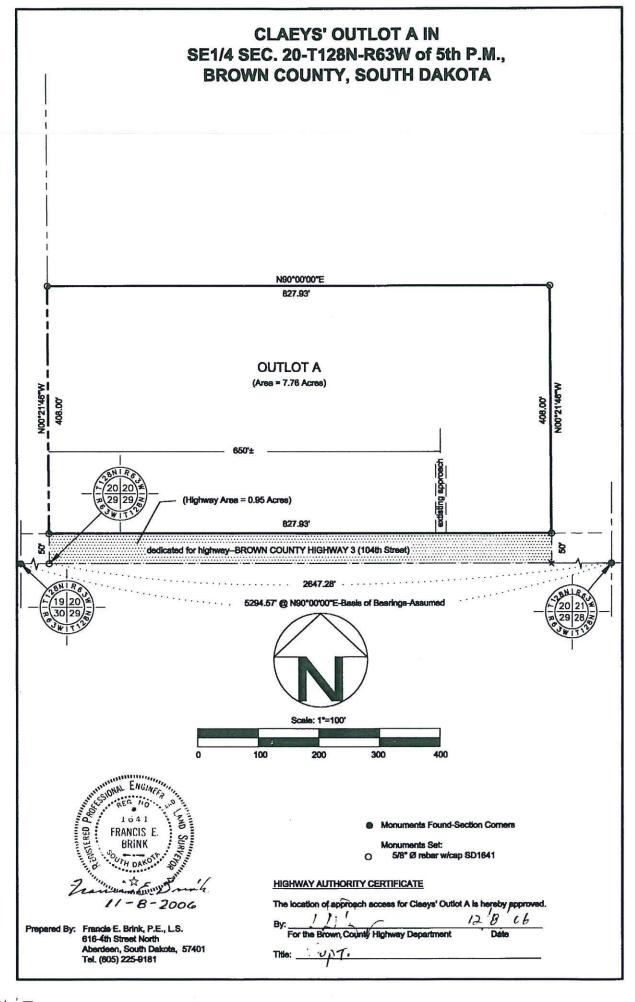
Dated this 7th day of February, 2024

Planning/Zoning Commission and Scott Bader – P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published once at the total approximate cost of \_\_\_\_\_\_.

## (Matt Gebhart) <u>VARIANCE FINDINGS WORKSHEET</u>

	$m{Prong}~m{O}$ Whether granting the variance runs of		to the	e public interest?	
Co	onsider the entire public—not just the neighbors	Findings			
1. Does it injure the neighborhood?			No X	_	
2.	Does it conform to the neighborhood?	Yes	No		
3.	Does it conform to the general purpose of the zoning ordinances?	Yes	No		
4.	Does it conform to the comprehensive plan currently in place?	Yes	No		
5.	Does it harm the public safety, health, or general welfare of the community?	Yes	No X		
	Prong Tw Whether special conditions exis		ant a	variance?	
Ph	ysical conditions—not money or econ hardship			Findings	
	Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property?	Yes X	No	Findings  This Variance to Setbacks would bring this pre-existing, non-compliant building into	
	Does a special condition—exceptional narrowness,	93-11-11-12-1	No D	This Variance to Setbacks would bring this pre-existing,	
	Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property?  *Explicitly state the condition on the property that is a special condition if one exists.  *It must be a physical condition.  *Exception: legal justification (for example,	93-11-11-12-1	No No	This Variance to Setbacks would bring this pre-existing, non-compliant building into compliance as well as proposed 21' additions on both the east &	
	Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property?  *Explicitly state the condition on the property that is a special condition if one exists.  *It must be a physical condition.  *Exception: legal justification (for example, estoppel) is a special circumstance.  a. If a special condition exists, does enforcing the		No No	This Variance to Setbacks would bring this pre-existing, non-compliant building into compliance as well as proposed 21' additions on both the east &	
	Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property?  *Explicitly state the condition on the property that is a special condition if one exists.  *It must be a physical condition.  *Exception: legal justification (for example, estoppel) is a special circumstance.  a. If a special condition exists, does enforcing the ordinance create an unnecessary hardship?  *That does not mean money, econ hardship, or allowing a use that's prohibited (i.e., not otherwise)		No No	This Variance to Setbacks would bring this pre-existing, non-compliant building into compliance as well as proposed 21' additions on both the east &	



CLAEYS' OUTLOT A IN SE1/4 SEC. 20-T128N-R63W of 5 <sup>th</sup> P.M., BROWN COUNTY, SOUTH DAKOTA
Sheet 2 of 2
OWNER'S CERTIFICATE  We, Arnold P. Claeys and Kris A. Claeys, hereby certify that we are the owner of the Southcast Quarter (SE1/4) of Section 20, Township 128  North, Range 63 West of the 5th P.M., except lands deeded for highways, Brown County, South Dakota, and that I did authorize a survey and plat of a portion of the above described land, which shall hereafter be known as "CLAEYS' OUTLOT A IN SE1/4 SEC. 20-T128N-R63W of the 5th P.M., BROWN COUNTY, SOUTH DAKOTA", as shown on the attached plat, and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations. Lands shown as dedicated for highway are dedicated to the perpetual use of the public for highway.
Signed this, the day of
Arnold P. Claeys Kris A. Claeys
Arnold P. Claeys Kris A. Claeys
ACKNOWLEDGEMENT OF OWNERS
STATE OF SOUTH DAKOTA )
On this, the 3 day of day of 2000 mer 2006, before me.
COUNTY OF BROWN On this, the 3 day of 2006, before me, a Notary Public, appeared Arnold P. Claeys and Kris A. Claeys, personally known to me or satisfactorily proven to me to be the individuals named above, executed the above OWNER'S CERTIFICATE and acknowledged to me that they executed the same.
My Commission Expires: 10 - 21 - 2012
Notary Public, State of South Dakota
SURVEYOR'S CERTIFICATE  I. Francis E. Brink, Licensed Land Surveyor, do hereby certify that at the request of the Owner shown above, have surveyed and platted "CLAEYS' OUTLOT A IN SE1/4 SEC. 20-T128N-R63W of 5th P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat; have shown monuments found and set thereon, and to the best of my knowledge, said survey and plat are true and correct.
Signed this 8 day of November 2006 . South Dakota Licensed Land Surveyor No. SD1641
COUNTY PLANNING COMMISSION CERTIFICATE  I hereby certify the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South
Dakota, at a meeting held on theday of, 200 Secretary of County Planning Commission, Brown County, SD
Secretary of County Planning Commission. Brown County. SD "Be it resolved by the Brown County Planning Commission, Brown County. South Dakota, that the plat showing "CLAEYS' OUTLOT A IN SE1/4 SEC. 20-T128N-R63W of 5 <sup>th</sup> P.M., BROWN COUNTY, SOUTH DAKOTA", having been examined, is hereby approved in accordance with the provisions of SDCLS of 1967. Chapter 11-6, and any amendments thereof.
COUNTY COMMISSION APPROVAL
I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a
meeting held on the 5 day of Licenhai . 200 . Malane Landon County Auditor, Brown County, South Dakota
"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "CLAEYS' OUTLOT A IN SE1/4 SEC. 20-T128N-R63W of 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.
TREASURER'S CERTIFICATE  I hereby certify that all taxes which are liens upon any of the lands included in the above plat are shown by the records of my office to be
fully paid.  Signed this 4th day of Dec
DIRECTOR OF EQUALIZATION'S CERTIFICATION
I hereby certify that I have received a copy of this plat this <u>S</u> day of <u>Dicomber</u> , 2006
Director of Equalization. Brown County. South Dakota
REGISTER OF DEED'S CERTIFICATION
Filed for record this 8th day of
Filed for record this 8th day of

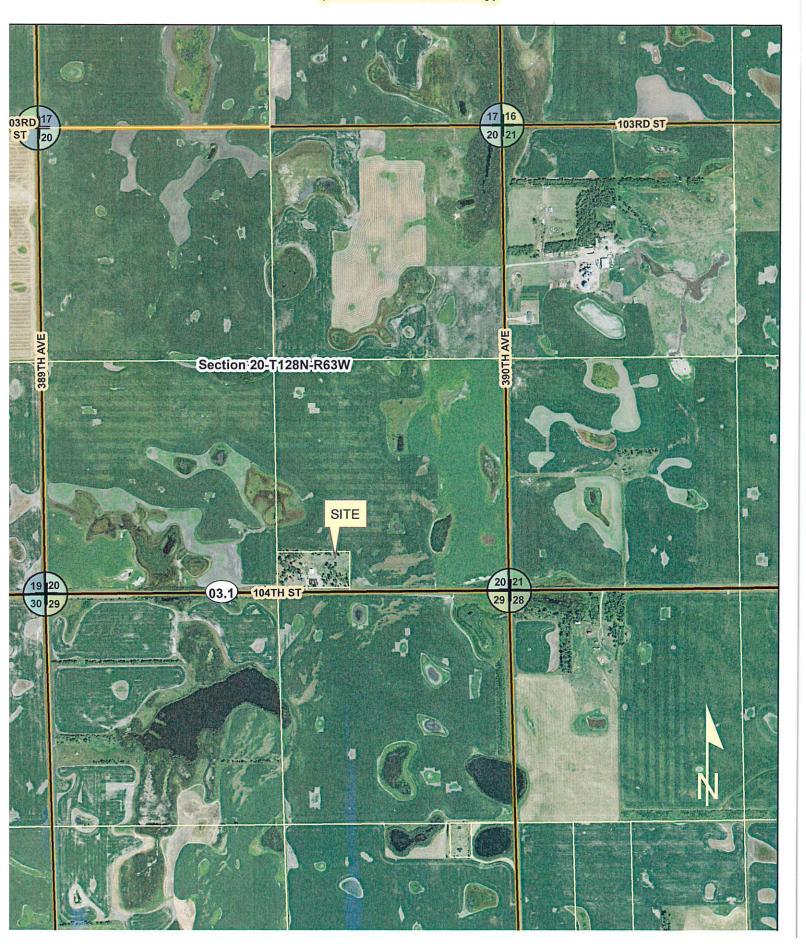
.

Mat : Lisa Gobbart

	14'X28'
12' lean on north side	Existing 28'x28'
12' lea	21'x28'

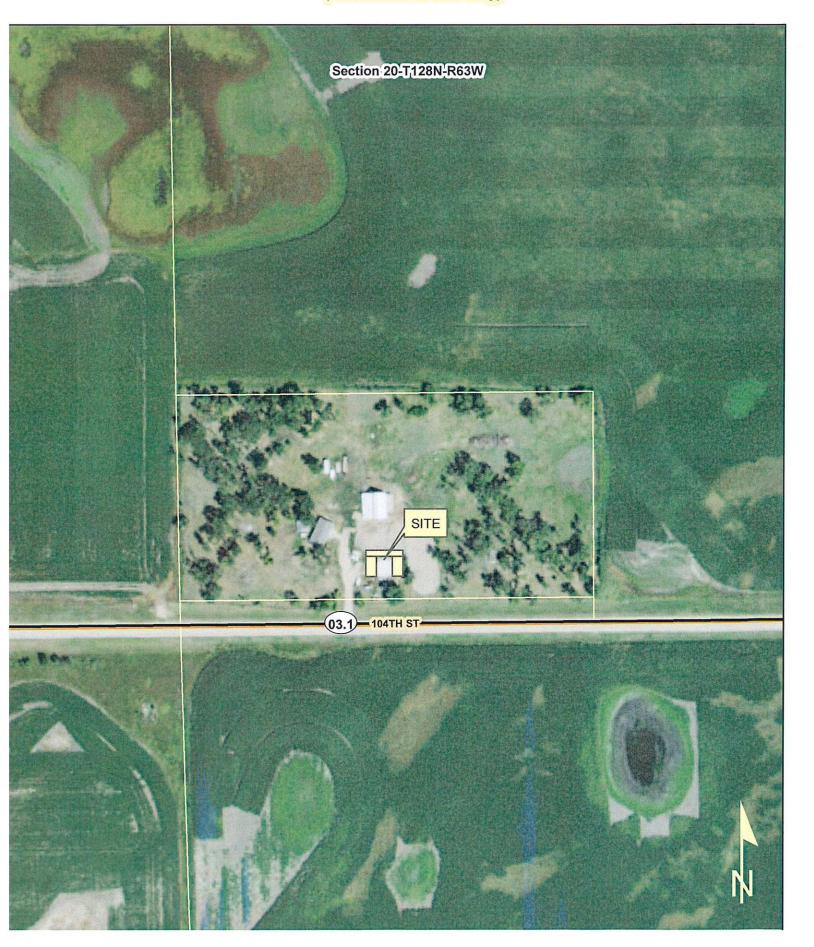
### **Brown County Zoning Office**

(for reference use only)



### **Brown County Zoning Office**

(for reference use only)



Matt & Lisa Gebhart 38954 104<sup>th</sup> Street Frederick SD 57441

Savo Township C/O Randall Bretsch 10221 390<sup>th</sup> Avenue Frederick SD 57441

Bretsch Farms Inc 10326 390<sup>th</sup> Avenue Frederick SD 57441

Wiitala Family LP PO Box 644 Frederick SD 57441

Susan Cybulski 2107 Crystal Avenue SE Aberdeen SD 57401

Michael Luoma 3516 21st Avenue NW Rochester MN 55901

Brian Luoma PO Box 71608 Fairbanks AK 99707-1608

### AFFIDAVIT OF PUBLICATION

### STATE OF SOUTH DAKOTA § COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

Brown County
Warner Dairy Variance Notice
Published Feb. 7, 2024 for \$13.18
Invoice No. 22971

Newspaper Representative's Signature

Subscribed and sworn to before me this the

7th Day of February 2024

to certify which witness my hand and seal of office.

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel Print or Type Name of Notary Public

My Commission Expires January 24, 2030 Bond Number: 107962682



2024 Brown County Microsur-

2024 Brown County Microsur-facing Project.
Sealed Bids will be received by the Commissioners of Brown County, 25 Market Street, Ab-erdeen, South Dakota, 57401, (605) 626-7110, until 8:45 AM local time on Tuesday, the 13th day of February 2024 for the above referenced project. Bids shall be prepared and submit-ted in accordance with the Bid-ding Documents. Brown County reserves the right to accept or

ding Documents. Brown County reserves the right to accept or reject any and/or all Bids as set forth in the Bidding Documents. At or shortly after the time named above and within the meeting of the County Commission, such bids will be publicly opened and read aloud. The Project includes the following Works:

lowing Work:
Microsurfacing for approximately 27 miles including:
Scratch Course and Surface

Scratch Course and Surface Course.
Additional items as set forth in the Contract Documents.
The Work to be performed under this contract shall be substantially completed by September 6, 2024.
Each bid shall be accompanied by Bid Security as described in the Bidding Documents. The Successful Bidder will be required to provide Payment and

Successful Bidder will be required to provide Payment and Performance Bonds as described in the Bidding Documents. Bidding documents may be viewed and obtained at www.questCdn.com by entering QuestCDN project number 9338832. If you need assistance with the website, please contact QuestCDN customer Support at 952-233-1632 or info@questCdn.com.

ATTEST: Lynn Heupel, Brown

ATTEST: Lynn Heupel, Brown
County Auditor
Published Jan. 31 and Feb. 7,
2024, at the total approximate
cost of \$31.46 and may be
viewed free of charge at www.
sdpublicnotices.com. 22940



NOTICE TO ASPHALT CON-CRETE PLANT MIX SUPPLIERS Sealed bids will be received in the Chambers of the Brown County Board of Commission-ers at the Court House Annex, Aberdeen, South Dakota, until the hour of 8:45 A.M., Febru-ary 20, 2024. At said time and place all bids will be publicly opened, read, and considered for producing, furnishing all materials and delivery of Asphalt Concrete Plant Mix Materials for road maintenance and construc-tion on Brown County System of Roads, F.O.B. Brown County, South Dakota.

South Dakota.
Proposal Guaranty: No deposit or bid bond will be required at time of bid opening.
Contract Notice: Brown Coun-

Contract Notice: Brown Country will give notice to the successful bidder that his proposal has been accepted and the large shall within ten (10) days thereafter enter into a contract with Rown Country. Contract for Asphalt Plant Mix Materials shall be firm and will be in effect for a period of one (1) year from April 1, 2024 to March 31, 2025.

Envelopes containing bids

51, 2025.
Envelopes containing bids shall be addressed and delivered to the Brown County Auditor, 25 Market Street, Aberdeen, South Dakota, 57401 and to be clearly marked on the outside of the envelope: "BIDS ON ASPHALT CONCRETE PLANT MIX MATERI-ALS" to be opened on February 20, 2024. The Brown County Board of Commissioners reserves the citek to reject any or all the right to reject any or all bids, and to accept the bid they deem to be in the best interest

bids, and to accept the bid they deem to be in the best interest of Brown County.

Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and all applicable taxes and fees for materials supplied by the Commactor and all applicable taxes and fees for materials supplied by the Commactor and all applicable taxes and fees for materials from Brown County is exempt from all Federal Excise Pax and State Sales Tax. Section 320.5 – Basis of Payment: "A – Asphalt Concrete Plant this Materials for Maintenance and Construction. The accepted quantities of Asphalt Plant this will be paid for at the contract unit price per ton.

Attest: .Lynn Heupel, Brown County Auditor Published Feb. 7 and 14, 2024, at the total approximate cost of \$38.63 and may be viewed free of charge at www. sdpublicnotices.com. 22965



NOTICE TO ROAD CONTRAC-TORS AND MACHINERY DEAL-

TORS AND MACHINERY DEAL-ERS
Sealed bids will be received in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Aberdeen, South Dakota, until the hour of 8:45 a.m. on February 20, 2024. At said time and place all bids will be publicly opened, read and considered for furnishing Full Operation Rental Services of Gravel Trucks and Road Machinery for construction and maintenance repairs on Brown County Road Projects for the year 2024. Successful bidders will be working along with Brown County Highway Department Forces, Brown County Landing Forces, and the Brown County Forces and the Brown County Forces and the Brown County Forces and Brown County Forces Brown County Fo

Fairground Forces to complete the projects.

Proposal Guaranty: No deposit or bond will be required at time of bid opening.

Performance Bond: Brown County will give notice to the successful bidder that his proposal has been accepted, and said bidder shall within ten (10) days thereafter enter into a contract with Brown County and said bidders shall then be required to furnish the following: Certificates of Insurance as per Bid Specifications or Requested from Brown County. Brown County must be listed as additional insured on all Certificates of Insurance.

Contract for Rental Equip

tional insurance.

Contract for Rental Equipment shall be firm and will be in effect for a period of one year from March 1, 2024 to February

from March I, 2024 to February 28, 2025.
Envelopes containing bids shall be addressed and delivered to the Brown County Auditor, 25 Market Street, Aberdeen, South Dakota 57401, and to be clearly marked on the outside of the envelope: "BIDS FOR RENTAL OF EQUIPMENT" to be opened February 20, 2024. The Brown County Board of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Brown County. Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and all applicable taxes and fees for materials supplied by the County and all poly and the County of the C

Attest: .lynn Heupel, Brown
County Auditor
Published Feb. 7 and 14,
2024, at the total approximate
cost of \$41.94 and may be
viewed free of charge at www.
sdpublicnotices.com. 22966



NOTICE TO ROAD OIL SUP-PLIERS
Sealed bids will be received in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Aberdeen, South Dakota, until the hours of 8:45 A.M. on February 20, 2024 at said time and place all bids will be publicly opened, read and considered for producing, furnishing and delivery of Road Oil to the Brown County, System of Roads, F.O.B. Brown County, South Dakota. Item (A) Cutback Asphalt Road Oil – MC-700 Item (B) Cutback Asphalt Road Oil – MC-3000 Item (C) Emulsion Asphalt Road Oil – CC-SUM Housest: Lynn Heupel, Brown Allester: Lynn Heupel, Brown

Road Oil- CS51H
Attest: Lynn Heupel, Brown
County Auditor
Published Feb. 7 and 14,
2024, at the total approximate
cost of \$15.45 and may be
viewed free of charge at www.
sdpublicnotices.com. 22967



NOTICE TO GRAVEL PRODUCTION CONTRACTORS AND
SUPPLIERS
Sealed bids will be received
in the Chambers of the Brown
County Board of Commissioners
at the Court House Annex, Aberdeen, South Dakota until
the hour of 8:45 A.M., on February
20, 2024 at said time and place
all bids will be publicly opened,
read and considered for furnishing and delivery of ONE (1)
YEARS SUPPLY OF ROAD CONSTRUCTION AND MAINTENANCE
GRAVEL MATERIALS.
Proposal Guaranty: No
deposit or bid bond will be required
at time of the bid opening.
Performance Bond: Brown
County will give notice to the
successful bidder that his propose has been accepted and

Performance Bond: Brown County will give notice to the successful bidder that his proposal has been accepted and said bidder shall within ten (10) days thereafter enter into a contract with Brown County and furnish a performance bond in accordance with Brown County Highway Department of the Brown County Auditor, 25 Araket Street, Aberdeen, South Dakota 57401, and to be clearly Auditor, 25 Araket Street, Aberdeen, South Dakota 57401, and to be clearly marked on the outside of the envelope: "BIDS ON GRAVEL AGGREGATE MATERIALS" to be opened February 20, 2024. The Brown County Bond of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Brown County. Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and slap applicable taxes and fees for materials furnished and/or installed by the Contract for GRAVEL MATERIALS. Shall be firm and will be infect for a period of one (1) year from April 1, 2024 to March 31, 2025.

ATTEST: Lynn Heupel, Brown County Auditor. 7 and 14, Published Feb. 7 and 14.

ATTEST: Lynn Heupel, Brown County Auditor Published Feb. 7 and 14, 2024, at the total approximate cost of \$37.53 and may be viewed free of charge at www. sdpublicnotices.com. 22968



NOTICE OF HEARING Application has been made to the Brown County Planning/ Zoning Commission for a VARI-ANCE PETITION. Hearing will be held in the Courthouse Anne

Basement Community Room, on Tuesday, February 20, 2024, at 7:00 P.M. Petitioner / Owner: Tunby

Petitioner / Owner: Tunby Land, LP
Description of property. Proposed Lots 1 8. 2, "Tunby Addition" in the NJ/2 of Section
Possed Lots 1 8. 2, "Tunby Addition" in the NJ/2 of Section
4-T126N-R6IN of the 5th PM,
Brown County, South Dakota
(40437 & 40455 114th Street,
Shelby Township). Reason: Variance to Lot Size
in an AG-P District to allow Lot 1
and Lot 2 to be smaller than 40.0
acres and stay zoned Agriculture
Preservation District (AG-P)
per Brown County Ordinances
4.0605.
The public is invited to attend
the hearing to present comments
and testimony regarding the

the hearing to present comments and testimony regarding the proposed Variance to Lot Size

quest. Dated this 7th day of February, 2024. Planning/Zoning Commis-

Planning/Zoning Commis-sion & Scott Bader - P&Z Director 25 Market Street Aberdeen, 50 57401 Office: (665) 626-7144 Published February 7, 2024, at the total approximate cost of \$13.18 and may be viewed free of charge at www.sdpublicno-tees.com. 22969



NOTICE OF HEARING
Application has been made to the Brown County Planning/Zoning Commission for a VARI-ANCE PETITION. A hearing will be held in the Courthouse Annue, basement Community Meeting Room, on February 20, 2024, at 7:00 PM.
Petitioner / Owner: Matt & Lisa Gebhart
Description of property: "Claeys' Outlet A" in the SE1/4 of Section 20-T128N-R63W of the Sth PM., Brown County, South Dakota (38954 104th Street, Savo Twp.).

Dakota (38954 104th Street, Savo Twp.).
Resson: A Variance for Building Sebbacks in a Mini Agriculture District (M-AG)) to be 50-0" from the South Front Yard property line rather than 100-0" required in forwn County Joning Ordinances to bring this pre-existing, non-compliant building into compliance as well as proposed 21" west side and 14" east side additions.
The public is invited to attend the hearing and to present com-

the hearing and to present com-ments and testimony regarding the proposed variance request. Dated this 7th day of Febru-

ary, 2024 Planning/Zoning Commis-

Planning/Zoning Commission and Scott Bader - P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published February 7, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicnotices.com. 22970



NOTICE OF HEARING Application has been made to the Brown County Planning/ Zoning Commission for a VARI-ANCE PETITION. Hearing will be held in the Courthouse Annex basement Community Room, on Tuesday, February 20, 2024, at 7:00 P.M. Petitioner / Owner: Warner

7:00 RM.
Petitioner / Owner: Warner
Dairy for Silverstreak Dairies LLC
Description of property: Proposed Lot 1, "Warner Dairy First
Addition" in the E1/2 of the
SW1/4 of Section 7-T121N-R63W

SW1/4 of Section 7-T121N-R63W of the 5th PM, Brown County, South Dakota (38824 144%). Dakota (38824 144%). Reason: Variance to Lot Size in an AG-P District to allow Lot 1 (20.83 acres) to be smaller than 4.0.0 acres and stay zoned Agriculture Preservation District (AG-P) per 4,0605 of Brown County Ordinances. The public is invited to attend the hearing to present comments

Signed

and testimony regarding the proposed Variance to Lot Size proposed Variance to contract request.

Dated this 7th day of February

ary, 2024. Planning/Zoning Commis-

Scott Bader – P&Z Director 25 Market Street Aberdeen, 5D 57401 Office: (605) 626-7144 Published February 7, 2024, at the total approximate cost of \$13.18 and may be viewed free of charge at your scfoulding.



UNOFFICIAL PROCEEDINGS OF BOARD OF EDUCATION GROTON AREA SCHOOL DIS-TRICT NO. 06-6 SPECIAL BOARD MEETING

TRICT NO. 06-6
SPECIAL BOARD MEETING
January 30, 2024
President Gengerke called
the meeting to order at 7:00
a.m. in the GHS Library Conference Room. Members present: Filesh, Gengerke, Harder,
Lerseth-Filesh, Pharis, Rix, and
Weismantel. Others present
were Supt. J. Schwan, Principal
B. Schwan, and Business Manager Hubsch.
Moved by Rix second Weismantel to approve the agenda as
written. Motion carried.
Members of the public are
used to possible the second weismand the second weismand the second weismand the second weismentitle weisman of the second weismentitle weisman of the second weismentitle weisman of the second weisman
members of the public are
looked five minutes to address
the board on any topic of their
choice. With no public members
requesting to speak, the board
proceeded with their agenda
items.
Moved by Harder, second

Moved by Harder, second Weismantel to approve the Gen-eral Fund Opt Out Resolution 2024-001, for \$1,250,000 for a ten-year ter

THE GOVERNING BOARD OF GROTON AREA SCHOOL DISTRICT 06-6 do state that the above said board is unable to operate under the tax limitation measure currently in statute for the General fund. We, therefore, OPT OUT of such tax limitation in the amount of \$1,250,000. OPT OUT of Such tax limitation in the amount of \$1,250,000. OPT OUT of Such tax limitation in the amount of \$1,250,000. OPT OUT of Such tax limitation in the amount of \$1,250,000. OPT OUT of such tax limitation in the amount of \$1,250,000. OPT OUT of such tax limitation in the calendar year 2024. This action has been taken by the board and approved by at least a two-thirds ovte of the board. This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters in the discrict and within the people upon a petition signed by at least five percent of the registered voters in the discrict and within the people upon a petition signed by at least signed of the first publication of this decision. Unless this action is referred to a vote of the people upon a petition of this decision. Unless this action is referred to a vote of the people upon a petition of this decision. Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above-stated amount.

spread all excess levy to raise ax dollars in the above-stated amount and the about continued the preliminary discussion of the football cooperative with Lang-ford School District. A basic questionnaire that was filled out in the past and was revisited by the board members on what a football coop would look like. Once Langford completes their community meeting and Langford participation numbers are determined, the board will revisit the questionnaire and revise it. No action was taken.

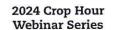
Moved by Harder, second Plaris to adjourn at 7.47 pm. Motion carried.

Becky Hubsch, Business Manager

Deborate George President President Programment of the programme

ager Deb-orah Gengerke, President The addition of signatures to this page verifies these minutes as official.

Published February 7, 2024, the total approximate cost of at the total approximate cost o \$27,55 and may be viewed free of charge at www.sdpublicno tices.com. 22972





Join the SDSU Extension Agre Tuesday, Wednesday, and Thursday January 9 - March 7, 2024 10:00 a.m. CST / 9:00 a.m. MT CCA Credits Available.

#### Weekly Topics

Feb, 13-15 .. Sunflower and Pulse Crop Production Feb. 20-22 ... Climate and Business Management Feb. 27-29 ... Forage Production March 5-7 ... Specialty Crop Production

Scan the QR code to register for





SOUTH DANOTA STATE
UNIVERSITY EXTENSION
Department of Accordance of the Control Office State of the Control Office State O

#### ATTENTION GROTON SCHOOL TAXPAYERS:

NOTICE OF PROPERTY TAX INCREASE OF \$1,250,000 RESOLUTION FOR OPT OUT

THE GOVERNING BOARD OF GROTON AREA SCHOOL DISTRICT 06-6 do state that the above said board is unable to operate under the tax limitation measure currently in statute for the General fund. We, therefore, OPT OUT of such tax limitation in the amount of \$1,250,000 starting with the calendar year 2024 taxes payable in the calendar year 2025. This opt out will be for ten years, which will be through taxes payable in the calendar year 2034 This action has been taken by the board and approved by at least a twothirds vote of the board. This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters in the district and filed with the governing body within twenty days of the first publication of this decision. Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above-stated amount.

Deborah Gengerke, Board Chairman Tigh Fliehs, Board Member Travis Harder, Board Member Heather Lerseth-Fliehs, Board Member Kara Pharis, Board Member Grant Rix, Board Member Martin Weismantel, Board Member Date-January 30, 2024

Published January 31, 2024, at the total approximate cost of \$82.50 and may be viewed free of charge at www. sdpublicnotices.com. 22973

## STAFF REPORT

Meeting: February 20, 2024

### BROWN COUNTY ZONING BOARD OF ADJUSTMENT (BOA)

VARIANCE FOR LOT SIZE IN AG-P

ITEM #03

(Agriculture Preservation District (AG-P)

**GENERAL INFORMATION:** 

OWNER:

PETITIONER:

Silverstreak Dairies LLC / Craig Achen

Warner Dairy, LLP (Mathew Kaschmitter)

REQUEST:

VARIANCE FOR LOT SIZE IN AN

AGRICULTURE PRESERVATION DISTRICT

(AG-P)

LEGAL DESCRIPTION:

Proposed Lot 1, "Warner Dairy First Addition" in the E1/2 of the SW1/4 of Section 7-T121N-R63W of the 5th P.M.,

Brown County, South Dakota

ADDRESS:

38824 144th Street

CITY/TOWNSHIP:

Warner Twp

**EXISTING ZONING** 

SURROUNDING ZONING:

Agriculture Preservation District (AG-P)

North:

South:

Agriculture Preservation District (AG-P)
Agriculture Preservation District (AG-P)

West:

Agriculture Preservation District (AG-P)

East:

Agriculture Preservation District (AG-P)

PUBLIC UTILITIES:

WEB Water

REPORTED BY:

Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance to Lot Size to allow

Lot 1 (20.83 acres) to be smaller than 40.0 acres and stay zoned as

Agriculture Preservation District (AG-P) per Chapter 4.0605 of Brown

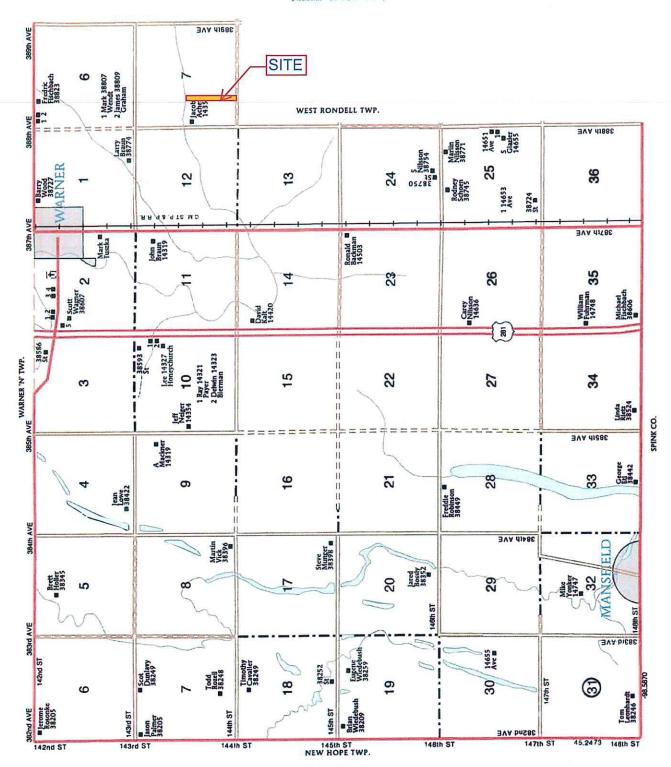
County Ordinances.

GENERAL REVIEW: Staff has reviewed this request.

## BROWN COUNTY PLANNING & ZONING COMMISSION

### **APPLICATION FOR VARIANCE**

DATE:	January 26,	2024	FEES:	\$125.00
RECEIPT #	821876		PAID:	YES/NO CHK/CASH
		P		February 2, 2024
			,	Mathe hashalle
OWNERS SIGNATU	<i>URE:</i>	Silverstreak Dairies, LL	.C	Partner
<b>OWNERS ADDRES</b>		7939 Highway 25		2/1/2024
OWNERS CITY, ST	ATE, ZIP:	Pierz, MN 56364		
OWNERS PHONE:	*	320-333-0238		
				Math Ala
AGENTS SIGNATU				, ,
AGENTS ADDRESS		14354 388th Avenue		2/1/2024.
		Warner SD 57479		
AGENTS PHONE: _		320-333-0238		
stay zoned as Agricult  LEGAL DESCRIPT	ure Preservation  ION: Propose ection 7-T121N	low Lot I (20.83 acres) to be District (AG-P) per Chapted Lot I, "Warner Dairy I-R63W of the 5th P.M. 24 144th Street, Warner	First Ao Brown	of Zoning Ordinances  ddition" in the E1/2 County, South Dakota
Planning Comm	ission Action:	Approved / Denied	I	
By:			Date: _	
HEARING DA	ATE: Feb	ruary 20, 2024	_TIM	E: 7:00 pm





#### **NOTICE OF HEARING**

Application has been made to the Brown County Planning/Zoning Commission for a <u>VARIANCE PETITION</u>. Hearing will be held in the Courthouse Annex basement Community Room, on <u>Tuesday</u>. February 20, 2024, at 7:00 P.M.

Petitioner / Owner: Warner Dairy for Silverstreak Dairies LLC

Description of property: Proposed Lot 1, "Warner Dairy First Addition" in the E1/2 of the SW1/4 of Section 7-T121N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (38824 144<sup>th</sup> Street, Warner Township).

Reason: Variance to Lot Size in an AG-P District to allow Lot 1 (20.83 acres) to be smaller than 40.0 acres and stay zoned Agriculture Preservation District (AG-P) per 4.0605 of Brown County Ordinances.

The public is invited to attend the hearing to present comments and testimony regarding the proposed Variance to Lot Size request.

Dated this 7th day of February, 2024.

Planning/Zoning Commission & Scott Bader – P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144

Published once at the total approximate cost of \_\_\_\_\_.

### (Warner Dairy)

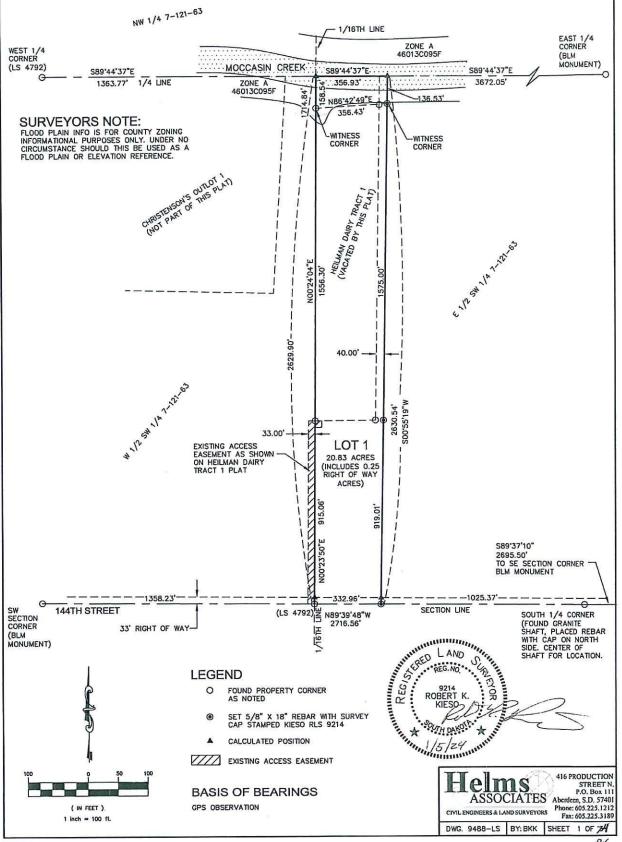
### VARIANCE FINDINGS WORKSHEET

Whether granting the variance runs		r to the	e public interest?
Consider the entire public—not just the neighbors			Findings
1. Does it injure the neighborhood?	Yes	No X	
2. Does it conform to the neighborhood?	Yes	No	
3. Does it conform to the general purpose of the zoning ordinances?	Yes	No	Zoning Ordinance allows a Variance to Lot Size when approved by the Planning/Zoning Comm. per 4.0605.
4. Does it conform to the comprehensive plan currently in place?	Yes	No	
5. Does it harm the public safety, health, or general welfare of the community?	Yes	No X	
Prong To Whether special conditions exi		ant a	variance?
Physical conditions—not money or econ hardship			Findings
Physical conditions—not money or econ hardship  1. Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property?  *Explicitly state the condition on the property that is a special condition if one exists.  *It must be a physical condition.  *Exception: legal justification (for example, estoppel) is a special circumstance.	Yes	No X	Findings  Zoning Ordinance allows a Variance to Lot Size when approved by the Planning/Zoning Comm. per 4.0605.
<ol> <li>Does a special condition—exceptional narrowness, topography, siting, or the like—exist on the property?</li> <li>*Explicitly state the condition on the property that is a special condition if one exists.</li> <li>*It must be a physical condition.</li> <li>*Exception: legal justification (for example,</li> </ol>	Yes Yes X		Zoning Ordinance allows a Variance to Lot Size when approved by the Planning/Zoning

A-9488

#### PLAT OF

## WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



DWG. 9488-LS BY: BKK SHEET 2 OF 34

#### PLAT OF

## WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

#### OWNER'S CERTIFICATE

WE, SILVERSTREAK DAIRIES, LLC, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF HEILMAN DAIRY TRACT 1 IN THE SW 1/4 OF SECTION 7 T121N R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, WE SILVERSTREAK DAIRIES, LLC DO HEREBY VACATE HEILMAN DAIRY TRACT 1 IN THE SW 1/4 OF SECTION 7 T121N R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON AUGUST 23, 2011 AND DULY RECORDED AS PLAT NO. 2785, IN THE BROWN COUNTY REGISTER OF DEEDS OFFICE. SILVERSTREAK DAIRIES, LLC PRINT NAME AND TITLE CORPORATE ACKNOWLEDGEMENT STATE OF SP COUNTY OF BOWN, )SS

ON THIS THE 5th DAY OF JAN 2024, BEFORE ME, OF SILVERSTREAK DAIRIES, LLC, AND THAT HE/SHE, AS SUCH AS PACTOR BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF SILVERSTREAK DAIRIES, AND THAT HE/SHE, AS SUCH AS PACTOR BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF SILVERSTREAK DAIRIES, LLC BY HIMSELF/HERSELF AS Partner IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL. DONNA M. LAUFENG MY COMMISSION EXPIRES: 02-13-2026 MOTA TY PUBLIC (SAL) SOUTH DAKOTA (SAL) NOTARY PUBLIC OWNER'S CERTIFICATE WE, TIMOTHY HEILMAN AND DARLYS HEILMAN, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE E 1/2 SW 1/4 EXCEPT PREVIOUSLY DEEDED HEILMAN DAIRY TRACT 1 ALL IN SECTION 7 T121N R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS. DARLYS HEILMAN Signed this **ACKNOWLEDGMENT** STATE OF SO COUNTY OF Brown )SS ON THIS THE 6 DAY OF 20.24. BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED TIMOTHY HEILMAN AND DARLY'S HEILMAN KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES: NOTARY PUBLIC

### PLAT OF

## WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE  I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY	CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE	
SURVEYED AND PLATTED "WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-DAKOTA" AS SHOWN ON THE ATTACHED PLAT, THAT I HAVE FOUND AND/OR SET IRON PINS AS AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.  DATED THIS 5 DAY OF January	TI2IN-R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH INDICATED THEREON. I FURTHER CERTIFY THAT THE WITHIN	
	ROBERT K. KIESO RLS #9214	
	Scholiebanders and appropriate the scholieband and scholieband	
APPROVAL BY CITY  I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED AT A MEETING HELD ON THE DAY OF, 20	D BY THE CITY COUNCIL OF WARNER, SOUTH DAKOTA	
"BE IT RESOLVED BY THE CITY COUNCIL OF WARNER, SOUTH DAKOTA, THAT THE PLAT SHOWING SECTION 7-T12IN-R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA HAVING BEEN EXAM PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."	WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF INNED, IS HEREBY APPROVED IN ACCORDANCE WITH THE	
	FINANCE OFFICER WARNER, SOUTH DAKOTA	
CITY PLANNING COMMISSION CERTIFICATE  I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED SOUTH DAKOTA AT A MEETING HELD ON THE DAY OF	BY THE CITY PLANNING COMMISSION OF WARNER,	
"BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF WARNER, SOUTH DAKOTA, THAT THE PLAT SHOWING WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5TH 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."		
	FINANCE OFFICER WARNER, SOUTH DAKOTA	
COUNTY PLANNING COMMISSION CERTIFICATION		
I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED SOUTH DAKOTA AT A MEETING HELD ON THE DAY OF 20	BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY,	
"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKO ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."	THAT THE PLAT SHOWING WARNER DAIRY FIRST ADDITION IN DTA HAVING BEEN EXAMINED, IS HEREBY APPROVED IN	
SECRETARY OF BROWN	N COUNTY PLANNING COMMISSION, SOUTH DAKOTA	
APPROVAL BY COUNTY		
I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED E COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE DAY OF, 20, 20		
"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOT, ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."	THAT THE PLAT SHOWING WARNER DAIRY FIRST ADDITION IN A_, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN	
COUNTY AUDITOR, I	BROWN COUNTY, SOUTH DAKOTA	
HIGHWAY AUTHORITY CERTIFICATE		
THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHA		
	ВҮ:	
	HIGHWAY AUTHORITY	

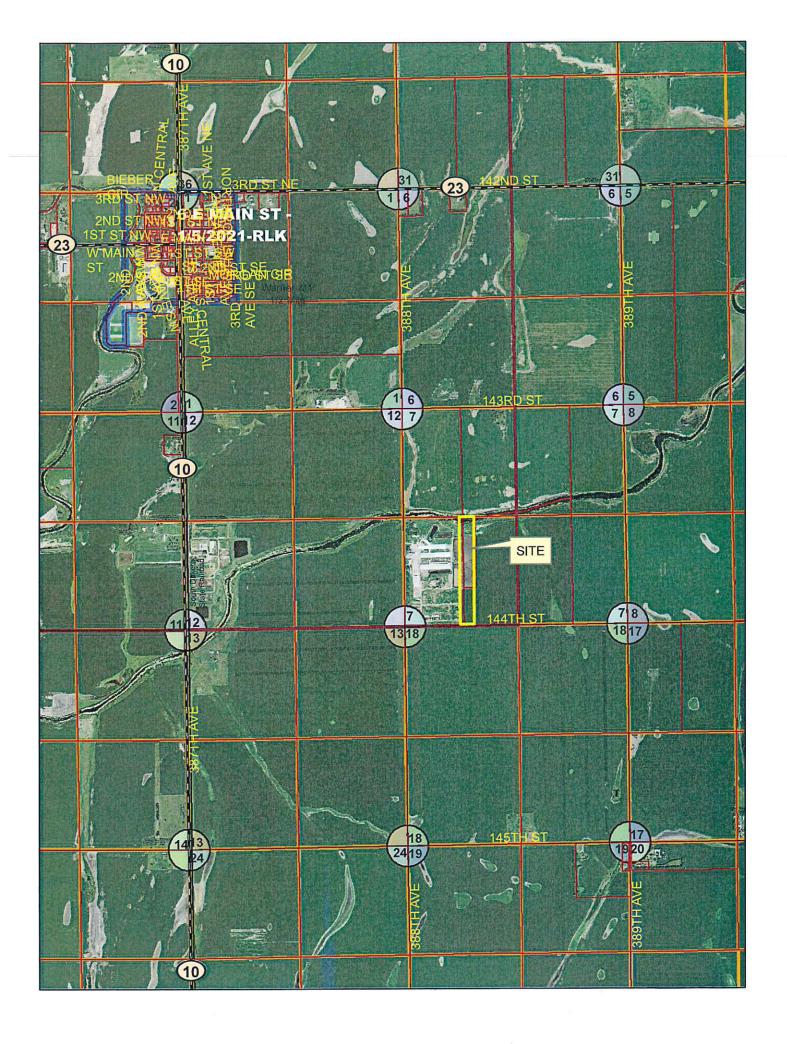
TITLE:

DWG. 9488-LS BY: BKK SHEET 3 OF 4

A-9488

### PLAT OF

RECTOR OF EQUALIZATION'S CERTIFICATE HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT OF	N THIS DAY	r of	20
	Ċ	DIRECTOR OF EQUALIZAT	TON, BROWN COUNTY, SOUTH DAKOTA
REASURER'S CERTIFICATE			
HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF		manufacture con termination and	LAT ARE SHOWN BY THE RECORDS OF MY
THE TO BE FOLLY PAID. SIGNED THIS DAT OF	20	-	
		COUNTY TREASUR	RER, BROWN COUNTY, SOUTH DAKOTA
EGISTER OF DEED'S CERTIFICATE			
LED FOR RECORD THIS DAY OF	20 AT	о'сьоск	AND DULY RECORDED IN HANGING
ATS NO			
		REGISTER OF DE	EDS, BROWN COUNTY, SOUTH DAKOTA





#### Silverstreak Dairies LLC

7939 Highway 25 Pierz, MN 56364

### Warner Township

Attn: Eric Hansen 38528 I 39<sup>th</sup> Street Aberdeen, SD 57401

## **Braun Family LLP**

PO Box 48 Warner, SD 57479-0048

## Tim & Darlys Heilman

38996 142<sup>nd</sup> Street Warner, SD 57479

### Allan & Sheila Dunker

7817 County Road 15 West Minot, ND 58703

## AFFIDAVIT OF PUBLICATION

## STATE OF SOUTH DAKOTA § COUNTY OF BROWN §

Before me, the undersigned authority, on this day personally appeared Tina Kosel, who being by me duly sworn, deposes and says that she is the office manager of the Groton Independent; that said newspaper is a newspaper of general circulation in Groton, Brown County, South Dakota; and that this notice was published in said newspaper on the following date(s):

Brown County
Gebhart Variance Notice
Published Feb. 7, 2024 for \$13.80
Invoice No. 22970

Newspaper Representative's Signature

Subscribed and sworn to before me this the

7th Day of February 2024

to certify which witness my hand and seal of office.

Notary Public in and for the State of South Dakota

(Seal)



Paul I. Kosel Print or Type Name of Notary Public

My Commission Expires January 24, 2030 Bond Number: 107962682



2024 Brown County Microsur-

NOTICE
2024 Brown County Microsurfacing Project
Sealed Bids will be received
by the Commissioners of Brown
County, 25 Market Street, Aberdeen, South Dakota, 57401,
(605) 626-7110, until 8:45 AM
local time on Tuesday, the 13th
day of February 2024 for the
above referenced project. Bids
shall be prepared and submitted in accordance with the Bidding Documents. Brown County
reserves the right to accept or
reject any and/or all Bids as set
forth in the Bidding Documents.
At or shortly after the time
named above and within the
meeting of the County Commission, such bids will be publicly
opened and read aloud.
The Project includes the following Work:
Microsurfacing for approximately 27 miles including:

Microsurfacing for approxi-mately 27 miles including: Scratch Course and Surface

Additional items as set forth in

Additional items as set forth in the Contract Documents. The Work to be performed under this contract shall be substantially completed by September 6, 2024. Each bid shall be accompanied by Bid Security as described in the Bidding Documents. The Successful Bidder will be required to provide Payment and Performance Bonds as described in the Bidding Documents. Bidding documents may be viewed and obtained at www.questcdn.com by enter-

be viewed and obtained at www.questcdn.com by enter-ing QuestCDN project number 8938832. If you need assistance with the website, please contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.

ATTEST: Lynn Heupel, Brown

ounty Auditor
Published Jan. 31 and Feb. 7, 2024, at the total approximate cost of \$31.46 and may be viewed free of charge at w sdpublicnotices.com. 22940



NOTICE TO ASPHALT CON-CRETE PLANT MIX SUPPLIERS

CRETE PLANT MIX SUPPLIERS
Sealed bids will be received
in the Chambers of the Brown
County Board of Commissioners at the Court House Annex,
Aberdeen, South Dakota, until
the hour of 8:45 A.M., February 20, 2024. At said time and
place all bids will be publicly
opened, read, and considered
for producing, furnishing all
materials and delivery of kapital
Concrete Plant hix Materials for
oad maintenance and construcroad maintenance and construc-

road maintenance and construction on Brown County System of Roads, F.O.B. Brown County, South Dakota. Proposal Guaranty: No deposit or bid bond will be required at time of bid opening. Contract Notice: Brown County will give notice to the successful bidder that his proposal has been accepted and said bidder shall within ten (10) days thereafter enter into a contract with Brown County.

arter enter into a contract with Brown County. Contract for Asphalt Plant Mix Materials shall be firm and will be in effect for a period of one (1) year from April 1, 2024 to March 31, 2025.

51, 2025. Envelopes containing bids shall be addressed and delivered to the Brown County Auditor, 25 Market Street, Aberdeen, South Dakota, 57401 and to be clearly marked on the outside of the envelope: "BIDS ON ASPHALT CONCRETE PLANT MIX MATERI-ALS" to be opened on February 20, 2024. The Brown County Board of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest

Brown County.
Bids shall include all applicable Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and all applicable taxes and fees for materials supplied by the County. Brown County is exempt from all Federal Excise Tax and State Sales Tax. Section 320.5 – Basis of Payment: "A" – Asphalt Concrete

ment: "A" – Asphalt Concret Plant Mix Materials for Mainte nance and Construction. The accepted quantities of Asphalt Plant Mix will be paid for at the contract unit price per ton. Attest: . Lynn Heupel, Brown

Attest: .Lynn Heuper, orom. County Auditor Published Feb. 7 and 14, 2024, at the total approximate cost of \$38.63 and may be viewed free of charge at www. sdpublicnotices.com. 22965



NOTICE TO ROAD CONTRAC-TORS AND MACHINERY DEAL-

TORS AND MACHINERY DEALERS
Sealed bids will be recived in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Aberdeen, South Dakota, until the hour of 8:45 a.m. on February 20, 2024. At said time and place all bids will be publicly opened, read and considered for furnishing Full Operation Rental Services of Gravel Trucks and Road Machinery for construction and maintenance repairs on Brown County Road Projects for the year 2024. Successful bidders will be working along with Brown County Highway Department Forces, Brown County Highway Department Forces, Brown County Landfill Forces and the Brown County Failground Forces to complete the projects.

Proposal Guaranty: No deposit of bond will be required at time of bid opening.

Performance Bond: Brown County Will give notice to the

County will give notice to the successful bidder that his prosuccessful bidder that his proposal has been accepted, and said bidder shall within ten (10) days thereafter enter into a contract with Brown County and said bidders shall then be required to furnish the following: Certificates of Insurance as per Bid Specifications or Requested from Brown County. Brown County must be listed as additional insured on all Certificates. tional insured on all Certificates

or insurance.
Contract for Rental Equipment shall be firm and will be in effect for a period of one year from March 1, 2024 to February 28, 2025.
Envelopes contains the firm of the firm

28, 2025.
Envelopes containing bids shall be addressed and delivered to the Brown County Auditor, 25 Market Street, Aberdeen, South Dakota 57401, and to be clearly Dakota 57401, and to be clearly marked on the outside of the envelope: "BIDS FOR RENTAL OF EQUIPMENT" to be opened February 20, 2024. The Brown County Board of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Brown County. Bids shall include all applicable.

interest of Brown County. Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and all applicable taxes and fees for materials supplied by the County. Brown County is expended to the county is comply from all Evera all Exces Tax and State Sales Tax. County Auditor. Published Feb. 7 and 14, 2024, at the total approximate cost of \$41.94 and may be viewed free of charge at www.sdpublicnotices.com. 22966



NOTICE TO ROAD OIL SUP-PLIERS

NOTICE TO ROAD OIL SUP-PLIERS
Sealed bids will be received
in the Chambers of the Brown
County Board of Commissioners
at the Court House Annex, Aberdeen, South Dakota, until the
hours of 8:45 A.M. on February
20, 2024 at said time and place
all bids will be publicly opened,
read and considered for producing, furnishing and delivery of
Road Oil to the Brown County
System of Roads, F.O.B. Brown
County, South Dakota.
Item (A) Cutback Asphalt
Road Oil – MC-70
Item (B) Cutback Asphalt
Road Oil – MC-3000
Item (C) Emulsion Asphalt
Road Oil- CSS1H
Road Oil- CSS1H
Romer Search Search Search Search
Road Oil- CSS1H
Romer Search Search Search
Romer Search Search
Romer Search
Rome

Road Oil- CSS1H
Attest: Lynn Heupel, Brown
County Auditor
Published Feb. 7 and 14,
2024, at the total approximate
cost of \$15.45 and may be
viewed free of charge at www.
sdpublicnotices.com. 22967



NOTICE TO GRAVEL PRO-DUCTION CONTRACTORS AND

DUCTION CONTRACTORS AND SUPPLIERS

Sealed bids will be received in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Aberdeen, South Dakota until the hour of 8:45 A.M. on February 20, 2024 at said time and place and bids will be publicly opened, read and considered for furnishing and delivery of ONE (1) YEARS SUPPLY OF ROAD CONSTRUCTION AND MAINTENANCE STRUCTION AND MAINTENANCE GRAVEL MATERIALS.

STRUCTION AND MAINTENANCE GRAVEL MATERIALS.

Proposal Guaranty: No deposit on the proposal Guaranty: No deposit on the bond will be required at time of the bid opening.

Performance Bond: Brown County will give notice to the successful bidder that his proposal has been accepted and said bidder shall within ten (10) days thereafter enter into acid bidder within ten (10) days thereafter enter into a contract with Brown County and furnish a performance bond in accordance with the bid as accepted or as required by the Brown County Highway Department Superintendent. Brown County must be listed as additional insured on all Certificates of Insurance.

Envelopes containing bids shall be addressed and delivered to the Brown County Auditor, 25 Market Street, Aberdeen, South Dakota 57401, and to be clearly marked on the outside of the envelope: "BIDS ON GRAVET be accepted by the province of t

AGGREGATE MATERIALS" to be opened February 20, 2024. The Brown County Board of Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Brown County. Bids shall include all applicable taxes and fees for materials furnished and/or installed by the Contractor and all applicable taxes and fees for materials supplied by the County. Brown by the County County of the County County of the County County of the County

the Contractor and ail application taxes and fees for materials supplied by the County. Brown County is exempt from all Federal Excise Tax and State Sales Tax. Contract for GRAVEL MATERIALS shall be firm and will be in effect for a period of one (1) year from April 1, 2024 to March 31, 2025.

ATTEST: Lynn Heupel, Brown County Auditor Published Feb. 7 and 14, 2024, at the total approximate cost of \$37.53 and may be viewed free of charge at www.sdpublicnotkes.com, 22968



NOTICE OF HEARING
Application has been made
to the Brown County Planning/
Zoning Commission for a VARIANCE PETITION, Hearing will be
held in the Courthouse Annex
Basement Community Room,
on Tuesday, February 20, 2024,
at 7:00 P.M.
Petitioner / Owner: Tunby 7:00 P.M. Petitioner / Owner: Tunby nd, LP

Land, LP
Description of property: Proposed Lots 1 & 2, "Tunby Addition" in the N1/2 of Section 14-T126N-R61W of the 5th P.M., Brown County, South Dakota (40437 & 40455 114th Street, Shelby Township).

(4043/ & 40455 114th Street, Shelby Township). Reason: Variance to Lot Size in an AG-P District to allow Lot 1 and Lot 2 to be smaller than 40.0 acres and stay zoned Agriculture Preservation District (AG-P) per Bro 4.0605.

The public is invited to attend the hearing to present comments and testimony regarding the proposed Variance to Lot Size

ed this 7th day of Februry, 2024.
Planning/Zoning Commis-

sion &
Scott Bader – P&Z Director
25 Market Street
Aberdeen, 50 57401
Office: (665) 626-7144
Published February 7, 2024, at the total approximate cost of
\$13.18 and may be viewed free
of charge at www.sdpublicnotices.com. 22969



NOTICE OF HEARING

APPLICATION THE RAINING APPLICATION TO HE BROWN COUNTY Planning/ Zoning Commission for a VARI-ANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on February 20, 2024, at 7:00 P.M.
Betitinger / Owners Mark 6

Petitioner / Owner: Matt & Lisa Gebhart

Lisa Gebhart
Description of property:
"Claeys' Outlot A" in the SE1/4 of
Section 20-T128N-R63W of the
5th P.M., Brown County, South
Dakota (38954 104th Street,
Savo Two.).

Dakota (3894 - 104th Street, Sav Twp.).
Reason: A Variance for Building Setbacks in a Mini Agriculture Strict (M-AG)) to be 50-0" from the South Front Yard property line rather than 100-0" required in frown County Strict (M-AG) to be 100-100 from the South Front Yard Property line rather than 100-0" required in forward compliance as well as proposed 21' west side and 4" east side additions. The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 7th 104 of February, 2024

ary, 2024
Planning/Zoning Commis-

sion and Scott Bader – P&Z Director 25 Market Street Aberdeen, 50 57401 Office: (650) 526-7144 Published February 7, 2024, at the total approximate cost of \$13.80 and may be viewed free of charge at www.sdpublicno-tices.com, 22970



NOTICE OF HEARING

Application has been made to the Brown County Planning/ Zoning Commission for a VARI-ANCE PETITION. Hearing will be held in the Courthouse Annex r.M. titioner / Owner: Warner

Petitioner / Owner: Warner Dairy for Silvestreak Dairies LLC Description of property: Proposed Lot 1, "Wamer Dairy Proposed Lot 1, "Wamer Dairy Proposed Lot 1, "Wamer Dairy Silvest Addition" in the E1/2 of the SWI/14 of Section 7-1121N-R63W of the 5th R/M, Brown County South Dakota (18824 1414th Street, Warner Township). Reason: Variance to Lot Size in an AG-P District to allow Lot 1/20.83 acres) to be smaller than 40.0 acres and stay zoned Adriculture Preservation District

Agriculture Preservation District (AG-P) per 4,0605 of Brown County Ordinances. The public is invited to attend

the hearing to present comments

and testimony regarding the proposed Variance to Lot Size proposed Variance to Lot Size request. Dated this 7th day of Febru-ary, 2024. Planning/Zoning Commis-sion &

sion & Scott Bader – P&Z Director 25 Market Street Aberdeen, SD 57401 Office: (605) 626-7144 Published February 7, 2024, at the total approximate cost of \$13.18 and may be viewed free of charge at twew sofublicno-



UNOFFICIAL PROCEEDINGS OF BOARD OF EDUCATION GROTON AREA SCHOOL DIS-TRICT NO, 06-6 SPECIAL BOARD MEETING

SPECIAL BOARD MEETING
January 30, 2024
President Gengerke called
the meeting to order at 7:00
a.m. in the GHS Library Conference Room. Members present Fileshs, Gengerke, Harder,
Lerseth Fileshs, Pharis, Rix, and Weismantel. Others present
were Supt. J. Schwan, Principal
B. Schwan, and Business Manager Hubsch.
Mowed by Rix second Weismatel to approve the agenda as written. Motion carried.
Pursuant to SDCL 23-3, there was no potential conflict disclosure reported.

was no potential connict discre-sure reported.

Members of the public are allowed five minutes to address the board on any topic of their choice. With no public members requesting to speak, the board proceeded with their agenda

items.
Moved by Harder, second
Weismantel to approve the General Fund Opt Out Resolution
2024-001, for \$1,250,000 for a
ten-year term. Motion carried.

THE GOVERNING BOARD OF GROTON AREA SCHOOL DISTRICT 06-6 do state that the above said board is unable to operate under the tax limitation measure currently in statute for the General fund. We, therefore, OPT OUT of such tax limitation in the amount of \$1,250,000 OPT OUT of Such tax limitation in the amount of \$1,250,000 opt out will be for ten years, which will be through taxes payable in the calendar year 2024 taxes payable in the calendar year 2025. This opt out will be for ten years, which will be through taxes payable in the calendar year 2031. This action has been taken by the board and approved by at least five percent of the registered voters in the district and filled with the governing body within twenty days of the first publication of this decision. Unless this action is referred to a vote of the people and reversed Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above-stated

tax dollars in the above-stated amount.

The board continued the preliminary discussion of the football cooperative with Lang-ford School District. A basic questionnaire that was filled out in the past and was revisited by the board members on what a football coop would look like. Once Langford completes their community meeting and Langford participation numbers are determined, the board will revisit the questionnaire and revise it. No action was taken.

the questionnaire and revise it. No action was taken. Moved by Harder, second Pharis to adjourn at 7:47 pm. Motion carried. Becky Hubsch, Business Man-

ager orah Gengerke, President
The addition of signatures to
this page verifies these minutes
as official.

as official.
Published February 7, 2024,
at the total approximate cost of
\$27.55 and may be viewed free
of charge at www.sdpublicnotices.com. 22972

#### 2024 Crop Hour Webinar Series



Join the SDSU Extension Agronomy Team Tuesday, Wednesday, and Thursday January 9 - March 7, 2024 10:00 a.m. CST / 9:00 a.m. MT CCA Credits Available

#### Weekly Topics

Feb. 13-15 ... Sunflower and Pulse Crop Production Feb. 20-22 .... Climate and Business Management Feb. 27-29 .... Forage Production March 5-7 .... Specialty Crop Production

Scan the QR code to register for this free webinar or go to extension.sdstate.edu/crop-hour





#### ATTENTION GROTON SCHOOL TAXPAYERS:

NOTICE OF PROPERTY TAX INCREASE OF \$1,250,000 RESOLUTION FOR OPT OUT

THE GOVERNING BOARD OF GROTON AREA SCHOOL DISTRICT 06-6 do state that the above said board is unable to operate under the tax limitation measure currently in statute for the General fund. We, therefore, OPT OUT of such tax limitation in the amount of \$1,250,000 starting with the calendar year 2024 taxes payable in the calendar year 2025. This opt out will be for ten years, which will be through taxes payable in the calendar year 2034 This action has been taken by the board and approved by at least a twothirds vote of the board. This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters in the district and filed with the governing body within twenty days of the first publication of this decision. Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above-stated amount.

Signed Deborah Gengerke, Board Chairman Tigh Fliehs, Board Member Travis Harder, Board Member Heather Lerseth-Fliehs, Board Member Kara Pharis, Board Member Grant Rix, Board Member Martin Weismantel, Board Member

Date-January 30, 2024

Published January 31, 2024, at the total approximate cost of \$82.50 and may be viewed free of charge at www. sdpublicnotices.com. 22973

# STAFF REPORT

Meeting: February 20, 2024

## BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT

ITEM #10

**GENERAL INFORMATION:** 

OWNER:

PETITIONER:

Tunby Land Limited Partnership

Tunby Land Limited Partnership

REQUEST:

PRELIMINARY & FINAL PLAT

LEGAL DESCRIPTION:

"Tunby Addition" in the N1/2 of Section 14-

T126N-R61W of the 5th P.M., Brown County,

South Dakota

ADDRESS:

40437 & 40455 114th Street

CITY/TOWNSHIP:

Shelby Twp

**EXISTING ZONING** 

**SURROUNDING ZONING:** 

Agriculture Preservation District (AG-P)

North:

South: West: Agriculture Preservation District (AG-P)
Agriculture Preservation District (AG-P)

Agriculture Preservation District (AG-P)

East:

Agriculture Preservation District (AG-P)

PUBLIC UTILITIES:

**BDM Water** 

REPORTED BY:

Chris Anderson

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for

financial purposes.

GENERAL REVIEW: Staff has reviewed this plat.

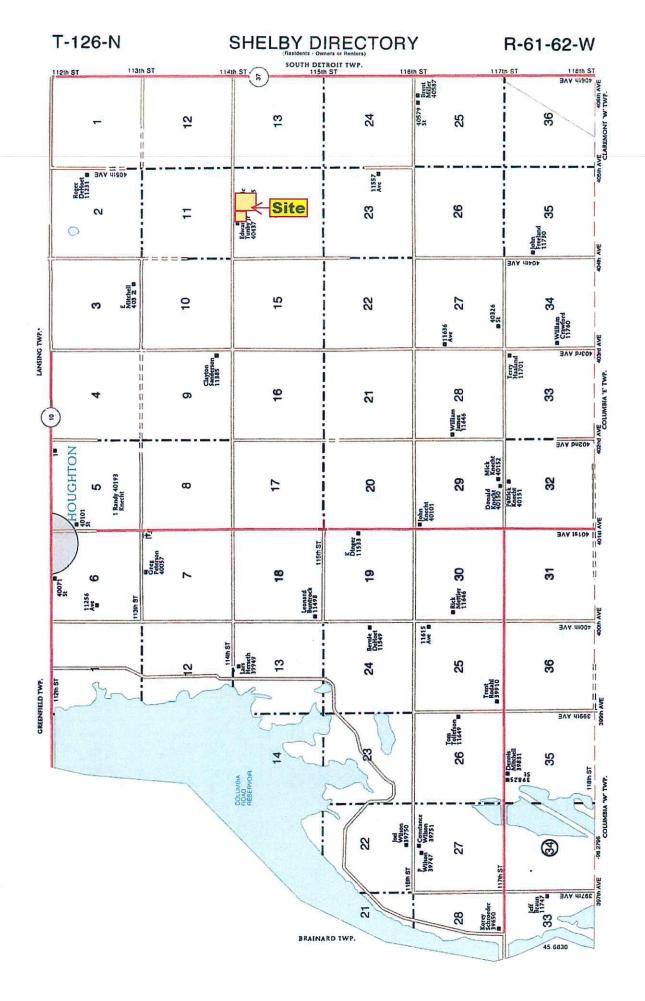
### PLAT APPROVAL CHECKLIST

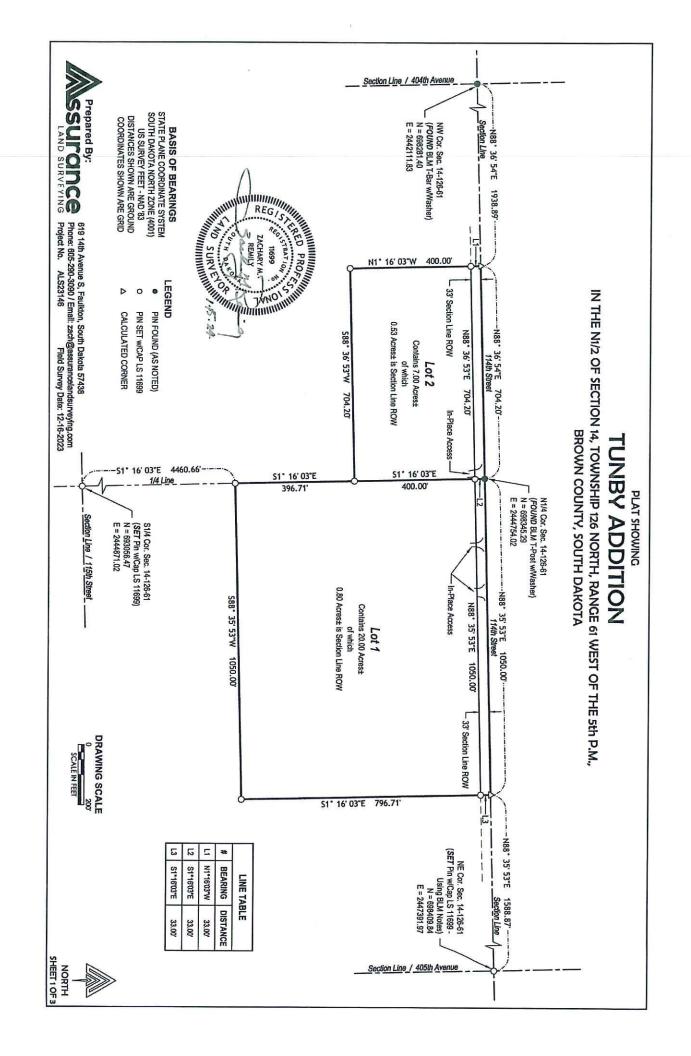
SUBDIVISION NAME:Tunby Addition		
LEGAL SECTION: QUARTER: N SECTION: 14 TOWNSHIP: 126 RANGE: 61		
MANDATORY LOTS: TRACTS PARCELS OUTLOTS OTHER		
SCHOOL DISTRICT: Groton		
UTILITIES: BDM Water		
OWNERS NAMES: Tunby Land, LP		
OWNERS NAMES:		
ENGINEER OR SURVEYOR: Zachary Remily, Assurance Land Surveying		
TYPE: PRELIMINARY FINAL BOTHX (both is allowed if there is not a new road needed)		
PLAT FEE PER PLAT: \$100.00 DATE PAID:1 /_ 19 /_ 20_24		
RECEIVED BY PLANNING DEPARTMENT: 1 / 19 /2024 BY: Chris Anderson		
REASON FOR PLAT: DEVELOPMENT CONVEYANCE FINANCIAL PURPOSES _X_ OTHER		
ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER OTHER		
STREETS/ROADS NAMED PROPERLY: X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:		
EXISTING ACCESS SHOWN ON PLAT: X ACCESS PERMISSION NEEDED BY: SD BC TWP X		
FULLY DIMENSIONED FROM SECTION CORNER: X OR QUARTER CORNER: X OR KNOWN MARKER: X		
PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: _X		
HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X SIGNATURE LINE SIGNED: X		
TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED X		
BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X PROPERTY PINS SHOWN ON ALL CORNERS: X		
REGULAR BOUNDARY LINE DRAWN AROUND R-O-W _X		
AFTER PLANNING COMMISSION MEETING		
CONSIDERED BY COUNTY PLANNING COMMISSION:		
RECOMMENDATION: APPROVE DENY RE-SUBMIT ON		
CONSIDERED BY COUNTY COMMISSION:		
RECOMMENDATION: APPROVE DENY RE-SUBMIT ON		

## BROWN COUNTY PLANNING & ZONING COMMISSION

### APPLICATION FOR PLAT APPROVAL

DATE:Janu	ary 26, 2023	FEES:	\$150.00
RECEIPT#8	71873	PAID: 🔿	YES/NO CHK/CASH
TOWNSHIP: SI	relly Twp	DATE: 🔏	Musry 19, 2024
			0
********	To be Level 1 and 1	D	D T
	Tunby Land Limited	Partnership	Lars Minby
			General Partner
OWNERS CITY, STATE	, ZIP: Houghton, SD 57449 XXX-XXX-XXX	1 00	Jan, 19, 2024
OWNERS PHONE:	XXX-XXX-XXXX	605-888	0-6355
ACENTS SIGNATURE			
AGENTS SIGNATORE. ACENTS ADDDESS			
	ZIP:		
AGENTS PHONE:			
<i>RECUIECT</i> P	Preliminary & Final Plat		
KEQUEST,	Teliminary & Finar Flac		
			li li
LEGAL DESCRIPTION	; "Tunby Addition" in the NI	/2 of Section	14-T126N-R61W
1	of the 5th P.M., Brown Co		
	(40437 & 40455 114th St	reet; Shelby T	wp.)
Planning Commission	on Action: Approved / De	nied	
By:		Date:	
HEARING DATI	E: February 20, 2024	TIME	2: 7:00 pm





#### **PLAT SHOWING**

## **TUNBY ADDITION**

IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5th P.M., **BROWN COUNTY, SOUTH DAKOTA** 

Tunby Land Limited Partnership, a limited partnership, does hereby certify that it is the owner of the Northeast Quarter (NE1/4) and Northwest Quarter (NW1/4) of Section Fourteen (14), Township One Hundred Twenty-Six (126) North, Range Sixty-One (61) West of the 5th P.M., Brown County, South Dakota, and that it has caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as:

"TUNBY ADDITION IN THE N1/2 OF SECTION 14,
TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA"

and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.			
Owner: Tunby Land Limited Partnership, a limited partnership			
Lars Tunby General Partner Print Name & Title  Lan Tunby Signature  Signature	this 19 day of Jenuary , 20 24.		
STATE OF Douth Dakota ) ss  STATE OF Douth Dakota ) ss  On this 19 day of Tanvary , 20 24, before me, a not appeared Lans Tunby who acknowledge himself/herself to be limited partnership, and that he/she as such General Member proposed therein contained, by signing the name of the corporation by himself	the <u>General Member</u> , of Tunby Land Limited Partnership, a		
In witness whereof I hereunto set my hand and official seal.  My Commission Expires: 11-02-3037			
SURVEYOR'S CERTIFICATE  I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owner, I have surveyed and platted:  "TUNBY ADDITION IN THE N1/2 OF SECTION 14, TOWNSHIP 128 NORTH, RANGE 61 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA"  as shown on the attached plat, that I have found and/or set iron pins as indicated thereon, and that said survey and plat are true and correct.	TOWNSHIP HIGHWAY APPROVAL  "Existing Access to 114th STREET is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."  Print Name & Title		
Signed this State day of January , 20 24	Signature Signed this day of, 20		



#### PLAT SHOWING

## **TUNBY ADDITION**

IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

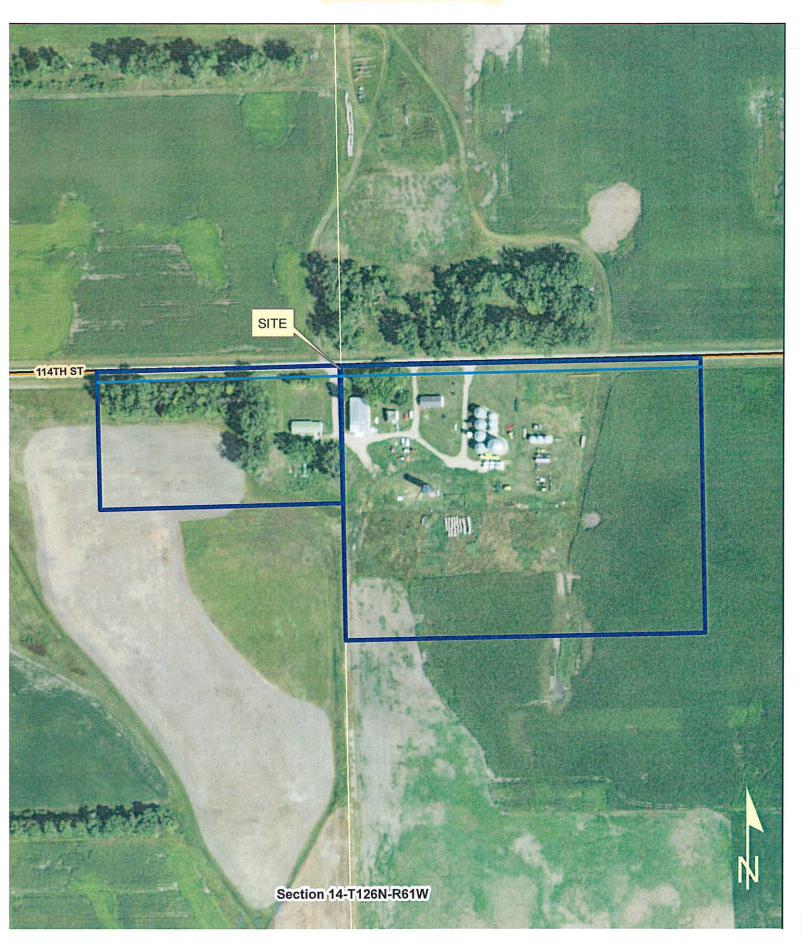
COUNTY COMMISSION APPROVAL	TREASURER'S CERTIFICATE
I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota.	I hereby certify that all taxes which are liens upon any of the lands included in the attached plat are shown by the records of my office to be fully paid.
Meeting held on the day of, 20	Signed this day of, 20
County Auditor Brown County, South Dakota	County Treasurer Brown County, South Dakota
"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing:	
"TUNBY ADDITION IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5TH 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."	DIRECTOR OF EQUALIZATION CERTIFICATE I hereby certify that I have received a copy of this plat.  Dated this day of  20
COUNTY PLANNING COMMISSION APPROVAL  I hereby certify that the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota.  Meeting held on the day of, 20	Director of Equalization Brown County, South Dakota
Secretary of County Planning Commission Brown County, South Dakota	REGISTER OF DEEDS' CERTIFICATE Filed for record this day of , 20
"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing:	atO'clockM., and duly recorded as Hanging
"TUNBY ADDITION IN THE N1/2 OF SECTION 14, TOWNSHIP 126 NORTH, RANGE 61 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA"	Plat No
having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.	Register of Deeds Brown County, South Dakota





## **Brown County Zoning Office**

(for reference use only)



# STAFF REPORT

Meeting: February 20, 2024

## BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT

ITEM #11

**GENERAL INFORMATION:** 

OWNER: PETITIONER:

Silverstreak Dairies LLC / Craig Achen Warner Dairy LLP (Mathew Kaschmitter)

REQUEST:

PRELIMINARY & FINAL PLAT

LEGAL DESCRIPTION:

"Warner Dairy First Addition" in the E1/2 of the SW1/4 of Section 7-T121N-R63W of the 5th P.M., Brown County, South Dakota

ADDRESS:

38824 144th Street

CITY/TOWNSHIP:

Warner Twp

**EXISTING ZONING** 

SURROUNDING ZONING:

Agriculture Preservation District (AG-P)

North: South: West: Agriculture Preservation District (AG-P)
Agriculture Preservation District (AG-P)
Agriculture Preservation District (AG-P)
Agriculture Preservation District (AG-P)

PUBLIC UTILITIES:

East:

Existing well water & WEB Water available

REPORTED BY:

Scott Bader

<u>GENERAL COMMENT</u>: The petitioner is requesting this Preliminary & Final Plat for

conveyance purposes to expand the lagoon

area.

GENERAL REVIEW: Staff has reviewed this plat.

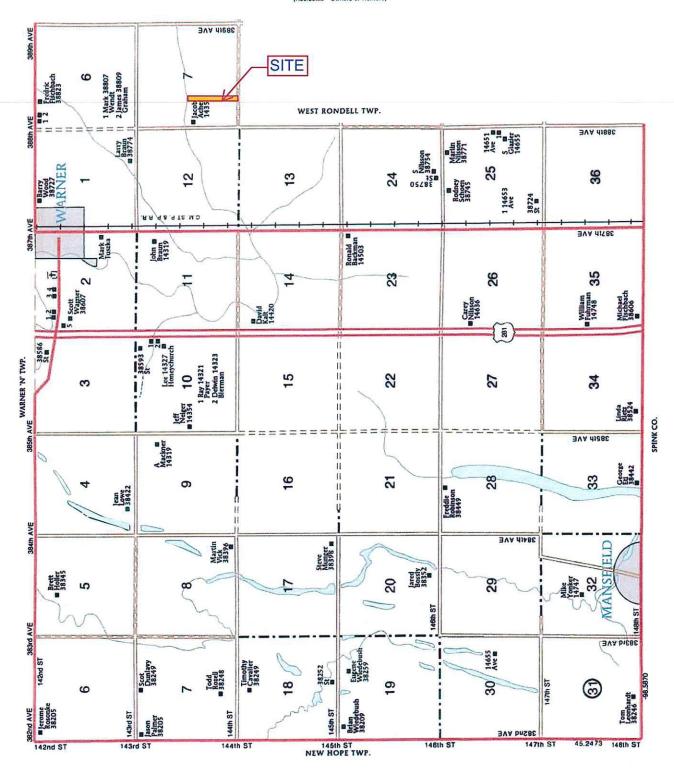
### PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Warner Dairy First Addition			
LEGAL SECTION: QUARTER: SECTION: TOWNSHIP: RANGE:			
MANDATORY LOTS: PARCELS OUTLOTS OTHER			
SCHOOL DISTRICT: Warner			
UTILITIES: well water - WEB water is also available, Northern Electric			
OWNERS NAMES: Silverstreak Dairies, LLC			
OWNERS NAMES:			
ENGINEER OR SURVEYOR: Robert Kieso, Helms & Associates			
TYPE: PRELIMINARY FINAL BOTHX_ (both is allowed if there is not a new road needed)			
PLAT FEE PER PLAT: \$150.00 DATE PAID: 2 1 02 12024			
RECEIVED BY PLANNING DEPARTMENT: 2 1 02 120 24 BY: Answer			
REASON FOR PLAT: DEVELOPMENT CONVEYANCE _X_ FINANCIAL PURPOSES OTHER			
ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER OTHER			
STREETS/ROADS NAMED PROPERLY: X NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:			
EXISTING ACCESS SHOWN ON PLAT: X ACCESS PERMISSION NEEDED BY: SD BC TWP X			
FULLY DIMENSIONED FROM SECTION CORNER: X OR QUARTER CORNER: X OR KNOWN MARKER:			
PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X			
HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township)X SIGNATURE LINE SIGNED:			
TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED			
BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X PROPERTY PINS SHOWN ON ALL CORNERS: X			
REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X			
AFTER PLANNING COMMISSION MEETING			
CONSIDERED BY COUNTY PLANNING COMMISSION:			
RECOMMENDATION: APPROVE DENY RE-SUBMIT ON			
CONSIDERED BY COUNTY COMMISSION:			
RECOMMENDATION: APPROVE DENY RE-SUBMIT ON			

## BROWN COUNTY PLANNING & ZONING COMMISSION

## **APPLICATION FOR PLAT APPROVAL**

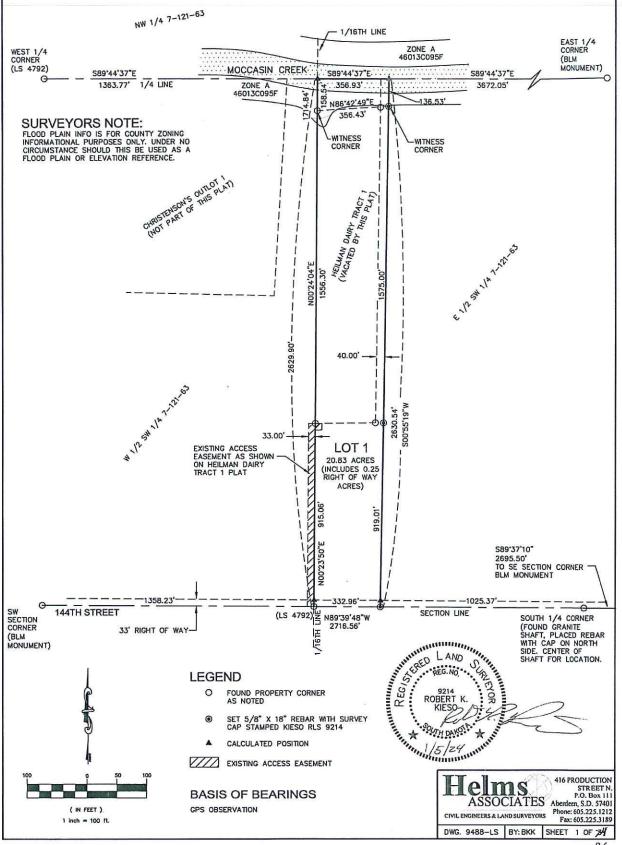
DATE:Januar	ry 26, 2023	FEES: \$150.00
RECEIPT # 821	876	PAID: YES/NO CHK/CASH
TOWNSHIP: Warne	er Twp.	DATE: 4ebruary 2, 2024
,		Mather Marcheta
OWNERS SIGNATURE: _	Silverstreak Dairi	ries, LLC Partaer
OWNERS ADDRESS:		2/01/2024
OWNERS CITY, STATE, 2	ZIP: Pierz, MN 56364	54
OWNERS PHONE:		
		Mathe haseher
AGENTS SIGNATURE:		(Mathew Kaschmitter) Parfner
AGENTS ADDRESS:		
AGENTS CITY, STATE, Z	IP: Warner SD 57479	79
AGENTS PHONE:	(320) 333-0238	
REQUEST: Pre	eliminary & Final Plat	
LEGAL DESCRIPTION:_ of Section 7-T12	21N-R63W of the 5th P.	ddition" in the E1/2 of the SW1/4 P.M., Brown County, South Dakota
	(38824 144th Street, '	, Warner Twp.)
Planning Commission	Action: Approved /	/ Denied
By:		Date:
HEARING DATE	E February 20, 20	.024 TIME: 7:00 pm





PLAT OF

A-9488



DWG. 9488-LS BY: BKK SHEET 2 OF \$4

#### **PLAT OF**

## WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

#### OWNER'S CERTIFICATE

WE, SILVERSTREAK DAIRIES, LLC, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF HEILMAN DAIRY TRACT 1 IN THE SW 1/4 OF SECTION 7 T121N

ATTACHED PLAT WHICH SHALL BE HEREAFTER KN	DAKOTA, AND THAT WE HAVE CAUSED THE SAME IC DWN AND DESCRIBED AS; WARNER DAIRY FIRST ADDI I, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND T N AND SEDIMENT CONTROL REGULATIONS.	TION IN THE E 1/2 SW 1/4 OF SECTION
BY THIS PLAT, WE SILVERSTREAK DAIRIES, LLC P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED F REGISTER OF DEEDS OFFICE.	DO HEREBY VACATE HEILMAN DAIRY TRACT 1 IN THOR RECORD ON AUGUST 23, 2011 AND DULY RECOR	HE SW 1/4 OF SECTION 7 TI21N R63W OF THE 5TH EDED AS PLAT NO. 2785, IN THE BROWN COUNTY
	SILVERSTREAK DAIRIES, I	пс
	Mathew Kar PRINT NAME AND TITLE	schmitter Partner
	Mathe Man SIGNATURE	Mother T
CODDODATE ACKNOW EDGENENT	Signed this $\frac{5^{4}}{}$ do	oy of January 20 29
CORPORATE ACKNOWLEDGEMENT  STATE OF STORY  COUNTY OF STORY  SS ON THIS THE 5th DAY OF APPEARED MATHOR KASCHOOL HER  AUTHORIZED SO TO DO EXECUTED THE FOREGOING LLC BY HIMSELF/HERSELF AS ACTION  AUTHORIZED SO TO DO EXECUTED THE FOREGOING LLC BY HIMSELF/HERSELF AS ACTION  AUTHORIZED SO TO DO EXECUTED THE FOREGOING LLC BY HIMSELF/HERSELF AS ACTION  OF THE FOREGOING  OF THE FOREGOING LLC BY HIMSELF/HERSELF AS ACTION  OF THE FOREGOING  OF THE FOREGOING	2024, BEFORE ME,	THE UNDERSIGNED OFFICER, PERSONALLY HE, AS SUCH AS <u>Partner</u> BEING D, BY SIGNING THE NAME OF SILVERSTREAK DAIRIES,
IN WITNESS WHEREOF I	HEREUNTO SET MY HAND AND OFFICIAL SEAL.	- Proceedings of the state of t
MY COMMISSION EXPIRES	: 02-13-2026	DONNA M. LAUSENG
NOTARY PUBLIC	Th. Lung	FOR SOUTH DAZOTA (SEL)
OWNER'S CERTIFICATE		
HEILMAN DAIRY TRACT 1 ALL IN SECTION 7 T121N BE SURVEYED AND PLATTED AS SHOWN ON THE A ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T	HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH D. ITTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN 21N-R63W OF THE 5TH P.M., BROWN COUNTY, SOUT ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND	AKOTA, AND THAT WE HAVE CAUSED THE SAME TO I AND DESCRIBED AS; WARNER DAIRY FIRST IH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT
	Til dal	lae
	TIMOTHY HELMAN	by of 2021
	Darlys	Kalman
	DARLYS HEILMAN Signed this do	y of <u>Jee</u> 2024
ACKNOWLEDGMENT STATE OF S C )		,
COUNTY OF BROWN )SS		
ON THIS THE DAY OF AND DARLYS HEILMAN KNOWN TO ME OR SATISFAL AND ACKNOWLEDGED TO ME THAT THEY EXECUTED	, 20 24. BEFORE ME, THE UNDERSIGNED OFF CTORILY PROVEN TO BE THE PERSONS WHOSE NAMES THE SAME FOR THE PURPOSES THEREIN CONTAINED	ICER, PERSONALLY APPEARED TIMOTHY HEILMAN S ARE SUBSCRIBED TO THE WITHIN INSTRUMENT ).
IN WITNESS WHEREOF I	HEREUNTO SET MY HAND AND OFFICIAL SEAL.	RISTY KOOK
MY COMMISSION EXPIRES	12/12/25	Seal
NOTARY PUBLIC	Kink	PUBLIC
		00011

DWG. 9488-LS BY: BKK SHEET 3 OF 4

### PLAT OF

SURVEYOR'S CERTIFICATE
I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" AS SHOWN ON THE ATTACHED PLAT, THAT I HAVE FOUND AND/OR SET IRON PINS AS INDICATED THEREON. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.  DATED THIS 5 DAY OF January 2024.
ROBERT K. KIESO RLS #9214
APPROVAL BY CITY  I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY COUNCIL OF WARNER, SOUTH DAKOTA AT A MEETING HELD ON THE DAY OF
FINANCE OFFICER WARNER, SOUTH DAKOTA
CITY PLANNING COMMISSION CERTIFICATE  I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY PLANNING COMMISSION OF WARNER, SOUTH DAKOTA AT A MEETING HELD ON THE DAY OF
"BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF WARNER, SOUTH DAKOTA, THAT THE PLAT SHOWING WARNER DAIRY FIRST ADDITION IN THE E 1/2 SW 1/4 OF SECTION 7-T121N-R63W OF THE 5TH 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."
FINANCE OFFICER WARNER, SOUTH DAKOTA
FINANCE OFFICER WARNER, SOUTH DAKOTA
COUNTY PLANNING COMMISSION CERTIFICATION
COUNTY PLANNING COMMISSION CERTIFICATION  I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY,
COUNTY PLANNING COMMISSION CERTIFICATION  I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE DAY OF
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COUNTY PLANNING COMMISSION CERTIFICATION  I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE DAY OF

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### PLAT OF

DIRECTOR OF EQUALIZATION'S CERTIFICATE  I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS DAY OF	F 20
DIRE	ECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA
TREASURER'S CERTIFICATE  I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUD  OFFICE TO BE FULLY PAID. SIGNED THIS DAY OF	ED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY
	COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA
REGISTER OF DEED'S CERTIFICATE  FILED FOR RECORD THIS DAY OF 20 AT  PLATS NO	_O'CLOCK, AND DULY RECORDED IN HANGING
	REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA
,	
	DWG. 9488-LS BY: BKK SHEET 4 OF 4



