

April 1, 2025 – GENERAL MEETING

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

APPROVAL OF AGENDA:

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

OPPORTUNITY FOR PUBLIC COMMENT: None

AWARD BID- CHEMICALS FOR WEED & PEST:

Chris Hemen, Weed & Pest Supervisor asked the Commission to award the Chemical Bids based on priced and availability with all the suppliers due to the difference in prices. Bids were received from Van Diest Supply Company, Nutrien Solutions, Adapco and State Bid. Moved by Commissioner Wiese, seconded by Dennert to approve the following bid awards:

Product Description or Chemical Equivalent	Est. Usage	Unit Size	Price/Unit	Total Price	Vendor Awarded Bid
PermaSease 3-15	220 Gallons	55 Gallons	\$44.98	\$9,895.60	Adapco
Altosid XR Briquets (150-day)	1 case	220 Briquets/Case	\$866.80	\$886.80	Van Diest
Altosid 30-day control Briquets	1 case	400 Briquets/Case	\$552.00	\$552.00	Van Diest
Temp SC	42 Bottles	240 ml Bottle	\$43.89	\$1,843.38	Van Diest
Mojave Labeled for R-O-W	100 lbs.	10 x 5 lb. Bag	\$8.20	\$820.00	State Bid
5# Glyphosate – Labeled for R-O-W	25 Gallons	2 x 2.5 Gallons	\$20.44	\$511.00	State Bid
Pictoram 2# - (aka: Tordon 22K)	150 Gallons	2 x 2.5 Gallons	\$48.88	\$7,332.00	Nutrien Solutions
Milestone – 2 lb. Aminopyralid	10 Gallons	2 x 2.5 Gallons	\$290.00	\$2,900.00	Van Diest or Nutrien Solutions
2-4D Choline (aka: Freelexx)	25 Gallons	1 x 2.5 Gallons	\$32.75	\$818.75	Van Diest or Nutrien Solutions
Overdrive	300 lbs.	4 x 7.5 lbs.	\$41.00	\$12,300.00	Nutrien Solutions
Vessel	30 Gallons	2 x 2.5 Gallons	\$20.14	\$604.20	Van Diest
Spike 80DF	25 lbs.	1 x 25lb Bag	\$26.00	\$650.00	Nutrien Solutions
HighNoon	5 Gallons	2 x 2.5 Gallons	\$94.00	\$470.00	Van Diest or Nutrien Solutions
Piper EZ	5 Gallons	2 x 2.5 Gallons	\$332.00	\$1,660.00	Van Diest or Nutrien Solutions
Piper WDG	15 lbs.	4 x 3.75 lbs.	\$74.00	\$1,110.00	Nutrien Solutions
Water Conditioner + Drift Control + NIS (aka: Shephard DRA)	200 Gallons	2 x 2.5 Gallons	\$18.60	\$3,720.00	Nutrien Solutions
Guardian – Labeled for Drift Control	10 Gallons	2 x 2.5 Gallons	\$14.00	\$140.00	Nutrien Solutions

All members present voting aye. Motion carried.

WEED & PEST GRANTS:

Moved by Commissioner Wiese, seconded by Dennert to approve and authorize Chairman Sutton to sign the following Weed & Pest Grants: WP-26-3 for Chemical, Seasonal Labor, etc. in the amount of \$7,600.00; WP-C26-4 for Yellow Toadflax Biological Control in the amount of \$2,000.00 and WP-C26-5 for Yellow Toadflax Mapping & Spot Spraying Project in the amount of \$1,000.00. All members present voting aye. Motion carried.

ORDINANCE #290 – SECOND READING/POSSIBLE ADOPTION:

Moved by Commissioner Wiese, seconded by Gage to adopt Ordinance #290. Petitioner Brown County Planning & Zoning to rezone from Agriculture Preservation District (AG-P) to Municipal (M) to bring this parcel into compliance for their current use: Description of property: Lot 1, “First Replat of Dahme Northview Addition” in the SE1/4 of Section 1-T123N-R64W and the SW1/4 of the SE1/4 of Section 1-T123N-R64W of the 5th P.M., Brown County, South Dakota (3015 N Dakota Street & 295 24th Avenue NE, Aberdeen Twp.). All members present voting aye. Motion carried.

ORDINANCE #291 - SECOND READING/POSSIBLE ADOPTION:

Moved by Commissioner Wiese, seconded by Gage to adopt Ordinance #291. Petitioner North Western Energy – Robert Gehm/Owners Donald Young & Harlan Young for the purpose of rezoning the following described properties: Rezone Lot 1 and Lot 3 from Agriculture Preservation District (AG-P) to Heavy Industrial District (H-I); Rezone Lot 2 from Multi-Zone District (M-Z) to Agriculture Preservation District (AG-P). The rezones are to bring these three parcels into compliance for a future electric generating station on Lot 1, leaving public utilities on Lot 2, and a future liquefied natural gas plant on Lot 3. Description of property: *Proposed* Lot 1, Lot 2, and Lot 3, “NWE Generation Addition” in Section 25-T123N-R64W of the 5th P.M., Brown County, South Dakota. (Lot 1 = 440 SW 135th St; Lot 2 = 270 SW 135th St; Lot 3 = 90 SW 135th St; Aberdeen Twp.). All members present voting aye. Motion carried.

EQUALIZATION DIRECTOR ANNUAL CONFERENCE:

Gene Loeschke, Director of Equalization (DOE) met with the Commission to give his Annual Conference as per SDCL 10-3-14. Equalization Board meetings will start on April 8th: County Equalization will meet in the morning and Consolidated Equalization will be in the afternoons.

REQUEST FUNDS FROM OPIOID SETTLEMENTS:

Jon Lemke, Chief Deputy Sheriff & Keith Baker, Deputy Sheriff met with the Commission and asked if they would give \$48,890.00 of the Opioid Settlement funds to the Jail for establishment of specialized de-escalation unit, incorporating a padded cell for individuals incarcerated in the County Jail that experience substance use disorders, with co-occurring mental health conditions and they experience acute withdrawal, agitation and medical instability, posing challenges to both their safety and the jail’s capacity to provide appropriate care. Moved by Commissioner Wiese, seconded by Gage to approve giving \$48,890.00 to the Brown County Jail for the Specialized De-escalation Unit, incorporating a padded cell, to address these critical needs. All members present voting aye. Motion carried.

HUFF CONSTRUCTION QUOTE – REVISE PUBLIC DEFENDER OFFICE:

Maintenance department presented a quote from Huff Construction to revise the Public Defender Office at a total of \$19,452.00. Moved by Commissioner Wiese, seconded by Dennert to approve and authorize Chairman Sutton to sign the quote from Huff Construction for \$19,452.00 to revise the Public Defender Office. All members present voting aye. Motion carried.

DISCUSS BURN BAN:

Chairman Sutton shared that he had reached out to the Emergency Management Director, Scott Meints about a burn ban due to the dry conditions we were experiencing, along with being approached by citizens of Brown County. Brown County does have a mechanism in place, that is an automatic trigger based on the fire danger levels: when it reaches the Extremely High Level it automatically enacts the Burn Ban. With the moisture on Saturday and the continued moisture today, Scott Meints stated we no longer needed to discuss a burn ban at this time.

MINUTES:

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

CLAIMS:

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

Claims: Professional Fees: Christy Griffin-Serr Law Office \$4,380.00; Cogley Law Office, Prof LLC \$2,340.00; Dohrer Law Office, PC \$60.00; Jerald McNeary \$240.00; Koletzky Law Office, Prof LLC \$564.00; Richardson,

Wyly, Wise, Sauck & Hieb, LLP \$5,480.00; SD Dept of Transportation \$245.92; SHI International Corp \$4,220.34; US Bank \$529.35. Publishing: Groton Daily Independent \$819.45; McQuillen Creative Group, Inc \$937.63; US Bank \$356.40. Repairs & Maintenance: Dakota Doors Inc \$395.41; DMC Wear Parts LLC \$320.00; Heartland Heating and Cooling, LLC \$5,084.81; Jake's Heating & Cooling \$105.00; Lawson Products, Inc \$68.78; Pierson Ford Lincoln, Inc \$159.95; Quest Construction LLC \$9,000.00; Sign Solutions USA, LLC \$634.98; Western States Fire Protection Co \$390.00; US Bank \$2,334.29. Supplies: Amazon Capital Services, Inc \$414.32; Century Business Products \$196.69; Cole Paper Inc \$599.76; Contech Engineered Solutions, LLC \$20,400.00; Crawford Trucks & Equipment \$762.77; DMC Wear Parts LLC \$25,756.00; Fastenal Company \$76.70; Geffdog Designs \$1,725.00; GovConnection, Inc \$728.68; Great Western States Supply, LLC \$498.81; Great Western Tire \$3,290.16; Hunter Holweger \$42.38; Intoximeters \$798.00; James Marnette \$74.32; Lawson Products, Inc \$768.74; Menards \$175.97; Midstates Group \$1,631.10; Newman Signs, Inc \$1,621.04; Northern Turck Equipment Corporation \$746.25; Pierson Ford Lincoln, Inc \$19.99; Pro Ag Supply, Inc \$343.68; Republic National Distributing Co, LLC \$315.50; Safety Service \$335.49; Sign Solutions USA, LLC \$8,299.66; Specialty Manufacturing \$15.75; Steven Lust Automotive \$7.65; Tyler Richards \$50.93; WEB Water Bottling Company \$36.00; US Bank \$14,273.63. Travel & Conference: Dave Lunzman \$90.00; Delta Hotels by Marriott \$747.00; Drew Dennert \$899.64; Duane Sutton \$282.80; John Florey \$64.00; Nick Juenger \$64.00; US Bank \$3,817.32. Utilities: AT&T Mobility \$143.74; Midcontinent Communications \$55.33; Montana-Dakota Utilities Co \$50.85; Northwestern Energy \$3,349.45; Verizon Wireless \$40.01; US Bank \$5,855.92. Others: WEX Health, Inc \$2,000.00. All members present voting aye. Motion carried.

HR REPORT:

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

- Employment ending for Merari Salazar-Aguilar, Brown County Jail Detention Officer; FT – effective March 25, 2025. Request to fill.
- Resignation of Justin Roemmick-Hutson, Brown County JDC Detention Officer; FT – effective March 26, 2025. Request to fill.
- Resignation of Teresa Gauer, Brown County Jail Records Technician; FT – effective March 21, 2025.
- Retirement of Roxanne Hilgenberg, Brown County Welfare Director; FT – effective April 25, 2025.
- Transfer of Erin Kumpf from Brown County Deputy Treasurer to Brown County Chief Deputy Auditor-Accounts Payable/Payroll; FT – Starting Wage \$29.49/hr. – effective April 14, 2025.
- Transfer of Shane Kilgore from Brown County Building Service Worker- PT to Brown County Fair & Parks Maintenance-Seasonal Worker, starting wage \$15.00/hr. – effective April 7, 2025.
- Return of Richard Burns as Brown County Fair & Parks Maintenance-Seasonal Worker, starting wage \$15.50/hr. – effective April 7, 2025.
- Return of Spencer Hundstad as Brown County Fairgrounds-Seasonal Worker, starting wage \$15.00/hr. – effective May 19, 2025.
- Approve Job Description for Museum Intern, Exhibits.

All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Commissioner Gage, seconded by Wiese to approve and authorize Chairman Sutton to sign the following lease agreements: Tyler Heilman to lease Club House on October 3-6, 2025, for a wedding; Aberdeen Area Chamber of Commerce for lease of the Holum Expo Building on May 31, 2025, for the Family Festival & Bike-A-Thon. All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

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

ABATEMENT/REFUND:

Moved by Commissioner Dinger, seconded by Wiese to approve the following abatement/refund: Abatement for Tax Yr. 24PY25: Parcel #7688 - \$98.99. Refunds for Tax Yr. 23PY24 \$93.78; Tax Yr. 22PY23 A\$86.73; Tax Yr. 21PY22 \$86.73. All members present voting aye. Motion carried.

SET HEARING DATE/AUTHORIZE PUBLICATION FOR LIQUOR LICENSE TRANSFERS:

Moved by Commissioner Gage, seconded by Wiese to set hearing and authorize advertising for Public Hearing on the transfer of a Retail (On-Sale) Liquor License and Package (Off-Sale) Liquor License is set for the 22nd day of April, 2025 in the Chambers of the Brown County Commissioners, in the Courthouse Annex, Brown County, South Dakota at which time any interested persons wishing to register a complaint on their approval may appear:

TRANSFER – RETAIL (ON-SALE) LIQUOR: Travis Swenson DBA: Elm Lake Resort to transfer license located at 37594 102nd St., Frederick (Palmyra Twp.) - Lot 1 Elm Lake Resort SD, SE 8-128-65 of 5th P.M., Brown County, SD to Monica Hansen, DBA: Drop Tine Resort located at 37594 102nd St., Frederick.,- Lot 1 Elm Lake Resort SE 8-128-65 of 5th P.M., Brown County, SD.

TRANSFER – PACKAGE (OFF-SALE) LIQUOR: Travis Swenson DBA: Elm Lake Resort to transfer license located at 37594 102nd St., Frederick (Palmyra Twp.) Lot 1 Elm Lake Resort SD, SE 8-128-65 of 5th P.M., Brown County, SD to Monica Hansen, DBA: Drop Tine Resort located at 37594 102nd St., Frederick.,- Lot 1 Elm Lake Resort SE 8-128-65 of 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

TRAVEL REIMBURSEMENT RATES:

Moved by Commissioner Dennert, seconded by Wiese to approve the new per diem reimbursement rates effective April 1, 2025, per SDCL 3-9; 3-9-2; ARSD 05:01:02:11; 05:01:02:14 and 05:01:02:10.01. All members present voting aye. Motion carried.

OTHER BUSINESS: None

EXECUTIVE SESSION:

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

ADJOURNMENT:

Moved by Commissioner Dennert, seconded by Wiese to adjourn the Brown County Commission at 9:48 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

Published April 9-10, 2025, at the total approximate cost of \$_____ and may be viewed free of charge at www.sdpublicnotices.com.