

## NOVEMBER 4, 2025 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Chairman Sutton mentioned that Centennial Village 2025 Fair Report was being scratched from the agenda for this week. Commissioner Dinger moved to approve the amended agenda, seconded by Dennert. All members present voting aye. Motion carried.

PUBLIC COMMENT: None

### BID OPENING FOR GRANDSTAND CONCESSIONS DURING BROWN COUNTY FAIR 2026-2028:

Time and place, as advertised, to open, read and consider sealed bids for operation of Grandstand Concessions during Brown County Fair in 2026, 2027, and 2028 located on the Brown County Fairgrounds. One bid was received from the Aberdeen Boys and Girls Club of the Aberdeen Area.

	MINIMUM BID	BID AMOUNT
Per Keg	\$85.00	\$86.00
Per Malt Beverage Case	\$20.00	\$21.00
Per RTD Beverage Case	\$40.00	\$41.00

The Commission appreciates the partnership we have had over the years and getting the many volunteers. Moved by Commissioner Gage, seconded by Dinger to accept the bid from Aberdeen Boys and Girls Club of the Aberdeen Area for the 2026, 2027, and 2028 Brown County Fair. All members present voting aye, Motion carried.

### APPROVE & AUTHORIZE CHAIRMAN TO SIGN RODEO STOCK CONTRACT:

Moved by Commissioner Gage, seconded by Dennert to approve and authorize Chairman Sutton to sign the rodeo stock contract with Dakota Rodeo for the 2026, 2027 and 2028 Brown County Fair for a three-year total of \$109,000.00. All members present voting aye. Motion carried.

### EXECUTIVE SESSION:

Moved by Commissioner Dennert, seconded by Gage to go into Executive Session per SDCL 1-25-2 for Legal regarding Contracts. All members present voting aye. Motion carried.

Chairman Sutton declared the Executive Session closed with No Action taken.

### FAIR CONTRACTS – CONFIDENTIAL:

Moved by Commissioner Dennert, seconded by Dinger to approve and authorize Chairman Sutton to sign the Fair Contracts that are Confidential until released. All members present voting aye. Motion carried.

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

Commissioner Gage went through the proposed amendments of decommissioning/restoration/abandonment. As a condition, a Wind Energy Systems (WES) permit, the decommissioning plan and financial instruments securing funds for decommissioning and restoration shall be updated by the owner or operator in the 10<sup>th</sup> year of operation and every 5 years thereafter to reflect the current cost estimates. The updated plan shall be submitted to and approved by the county beginning with the 10<sup>th</sup> year update to the decommissioning restoration plan and the permit shall post a bond or other adequate security sufficient to pay 120% of the current estimated decommissioning and restoration costs. Permits required to provide financial assurance for decommissioning as part of permit granted by the South Dakota Public Utilities Commission shall be exempt from this requirement. Michael, the developer working for Wind Energy, needed a few clarifications. In section 2E where there is reference to unincorporated cities, is there a definition written into this ordinance or elsewhere in the zone ordinance and if not, would it be able to be removed to the ambiguity of that. Scott Bader indicated it was already defined, but we can clarify more in the ordinance. In section 13A, looking at the noise portion of it with the last sentence that states noise level should be at an average of 45 dBA at setback distances. It will be difficult for a developer to be able to document our compliance with that at noise levels. Can the last sentence be removed. Motion by Commissioner Gage, seconded by Dennert to postpone the approval of the amended ordinance until

November 18<sup>th</sup> to clean up the language and add in the proposal for decommissioning. Draft six will be available on the website before November 18<sup>th</sup>. All members present voting aye. Motion carried.

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

Moved by Commissioner Gage, seconded by Dinger to approve and adopt Ordinance #303, as amended, a new Ordinance entitled Data Centers. Data Centers is being added to Title 4 Zoning Ordinances of Brown County, Chapter 4.01 – Definitions; Chapter 4.16 – H-I District; An Addition to Title 4 Zoning Ordinances of Brown County with Chapter 4.38 – Data Centers. All members present voting aye. Motion carried. Ordinance #303 Adopted. (Copies of the full Ordinance are available at the Brown County Auditor's Office or Brown County Planning & Zoning Office during regular business hours).

**OPERATION GREEN LIGHT FOR VETERANS 2025:**

Commissioner Gage offered the following Resolution:

**RESOLUTION #2025-55**

**OPERATION GREEN LIGHT FOR VETERANS 2025**

WHEREAS, the residents of Brown County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of those who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Brown County seeks to honor individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually; and an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, the Brown County appreciates the sacrifices of our United States military personnel and believes specific recognition should be granted;

NOW, THEREFORE BE IT RESOLVED, with designation as a Green Light for Veterans County, Brown County hereby declares from November 4 - 11, 2025 (Veterans Day) as a time to salute and honor the service and sacrifices of those transitioning from active service;

BE IT FURTHER RESOLVED, that in observance of Operation Green Light, Brown County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or residence from November 4-11, 2025.

Seconded by Commissioner Dennert.

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

**PETITION FOR ANNEXATION OF THE FAIRGROUNDS:**

Commissioner Dinger offered the following Resolution:

**RESOLUTION #2025-56**

**APPROVAL OF PETITIONING THE CITY OF ABERDEEN FOR VOLUNTARY ANNEXATION OF THE FAIRGROUNDS**

WHEREAS, Brown County owns, maintains, and supervises land contiguous to the corporate limits of the City of Aberdeen for the purpose of hosting a county fair established under the authority granted to the County by the State of South Dakota.

WHEREAS, to benefit the public, Brown County is continuously exploring revenue options for the improvement of the fairgrounds.

WHEREAS, Brown County fairgrounds activities also serve to promote the City of Aberdeen.

WHEREAS, The City of Aberdeen has undertaken an amendment to its ordinances providing for the remittal of sales tax revenue collected at the fairgrounds and permitting Brown County to retain jurisdiction over the fairgrounds in the event of annexation.

WHEREAS, the Brown County Commission approved the terms and conditions of annexation in an agreement with the City of Aberdeen on October 14, 2025. The City of Aberdeen approved the same annexation agreement on October 20, 2025.

WHEREAS, amendments to ordinances of the City of Aberdeen beneficial to the Brown County fairgrounds are set to become effective on November 13, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Brown County Commissioners does hereby authorizes the chair to sign and submit a petition to annex the property known as the Brown County fairgrounds into the city of Aberdeen pursuant to the approved annexation agreement at such time when the relevant amendments to Aberdeen City ordinances take effect.

Dated at Aberdeen, South Dakota, this 4<sup>th</sup> day of November, 2025.

Seconded by Commissioner Gage.

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

#### MINUTES:

Motion by Commissioner Gage, seconded by Dinger to approve the General Meeting Minutes for October 28, 2025. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

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

Claims: Professional Fees: Bill Schaefer \$16.00; Cogley Law Office, Prof LLC \$804.00; Dohrer Law Office, PC \$3,216.00; Fox Law Firm, PLLC \$204.00; Janet Wright \$40.00; Kristi Brandt \$263.95; Kuck Law Office \$2,670.00; Lenling Law Office, Prof. LLC \$690.00; Lewis & Clark BHS \$450.00; Lucy Lewno \$180.00; Marco Technologies, LLC \$1,116.76; Mark Katterhagen \$40.00; Pauer Sound, LLC \$2,987.24; Sanford Health \$486.00; Sewer Duck, Inc \$200.00; St. Croix County \$200.00; Valerie Larson \$24.00; Yankton County Sheriff's Office \$100.00. Publishing: Black Hills Pioneer \$14.34; McQuillen Creative Group, Inc \$207.74; Southwest Messenger Press, Inc \$97.44. Rentals: H & H Farms \$250.00; Les Frohling \$200.00; Ron Jacobson \$250.00. Repairs & Maintenance: Aberdeen Chrysler Center \$361.00; City of Aberdeen Treasurer \$13,040.00; CWF Masonry & Construction \$213.39; Fastcase Inc \$528.00; House of Glass \$850.89; Jebro Inc \$2,350.10; K&S Plumbing, Inc \$3,787.30; Lawson Products, Inc \$99.02; Precision Kiosk Technologies \$3,000.00; Sewer Duck, Inc \$425.00; Steel Structures of Aberdeen \$1,530.00. Supplies: Aberdeen Chrysler Center \$409.33; Amazon Capital Services, Inc \$2,309.74; Century Business Products \$184.97; Cole Paper Inc \$241.94; Crescent Electric Supply Co \$327.03; Fastenal Company \$127.36; Fox Law Firm, PLLC \$3.51; Jebro Inc \$13,639.78; Ken's SuperFair Foods \$236.76; Kuck Law Office \$63.38; Lawson Products, Inc \$1,430.10; Leidholdt Tool Sales, LLC \$31.46; Lien Transportation Company \$14,131.80; Lucy Lewno \$6.74; Maximum Promotions Inc \$119.44; Menards \$574.56; Midstates Group \$382.08; Performance Oil \$295.81; Pheasantland Industries \$598.70; Plumbing & Heating Wholesale, Inc \$858.78; Runnings \$90.13; Safety Service \$399.80; Sander's Sew-N-Vac \$954.94; Schwan Welding \$131.86; Van Diest Supply Company \$12,543.42. Travel & Conference: Adelaide Mouna \$319.60; Erin Spencer \$6.00; Heartland Association of Fairs, Festivals & Events \$1,615.00; Lynn Heupel \$312.40; Neil Bittner \$14.00; Scott Kolb \$14.00; Stephanie Jacobson \$80.00. Utilities: AT&T Mobility \$86.46; CenturyLink \$345.87; City of Aberdeen Treasurer \$984.59; Montana-Dakota Utilities Co \$35.64; Northwestern Energy \$12,865.79. Other: Ayalyn Crary \$10.00; Bexley Perrion \$5.00; Carl Kimbler \$10.00; Dawn Rux \$10.00; Dee Sanderson \$10.00; Lisa Hartung \$5.00; Melissa Denelsbeck \$10.00; Ron Lyren \$10.00; Seth Beaman \$5.00; Trudy Anderson \$5.00. Payroll: Commission \$4,896.51; Elections \$1,936.80; Auditor/Welfare \$11,393.91;

Treasurer \$18,935.03; SA \$37,292.02; Public Defender \$11,352.04; Maintenance \$12,817.87; Assessor \$16,589.78; Register of Deeds \$10,905.91; VSO \$4,741.87; GIS \$2,946.49; IT \$9,855.68; HR \$5,419.29; Sheriff \$60,533.20; Jail \$76,854.70; Coroner (Voucher) \$1,100.00; Court Security \$8,987.07; JDC \$35,492.08; Museum \$13,444.73; Parks/Fairgrounds \$8,186.06; Fair Board \$3,487.73; 4-H \$738.27; Weed \$5,722.07; Planning & Zoning \$8,144.34; Highway \$50,365.23; Dispatch \$41,129.40; Emergency \$5,637.96; 24/7 Sobriety \$2,876.48; Landfill \$20,336.64; Mileage Benefits \$1,227.80; Meal Benefits \$70.00; FICA \$30,591.88; Medicare \$7,154.55; Health Insurance-Wellmark BCBS \$136,527.39; Dental Insurance-Delta \$9,456.93; Life Insurance-Dearborn \$1,131.86; Retirement-SDRS \$92,082.21. All members present voting aye. Motion carried.

#### HR REPORT:

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

- Hiring of Alexis Marrero Rodriguez as Brown County Jail Detention Officer, FT: starting wage \$21.93/hr. – effective November 4, 2025.

All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Dinger, seconded by Dennert to approve the following Travel Requests: Dirk Rogers, Highway Superintendent to attend Asphalt Conference Planning Meeting on November 5, 2025 in Brookings; Austin Ball, Deputy Sheriff to attend Investigative Interviewing on February 10-12, 2026 in Sioux Falls. All members present voting aye. Motion carried.

#### OTHER BUSINESS: None

#### EXECUTIVE SESSION:

Moved by Commissioner Dennert, seconded by Gage to go into Executive Session per SDCL 1-25-2 for Personnel and Contracts. All members present voting aye. Motion carried.

Chairman Sutton declared the Executive Session closed with No Action taken.

#### ADJOURNMENT:

Moved by Commissioner Dennert, seconded by Dinger to adjourn the Brown County Commission at 10:59 a.m. All members present voting aye. Motion carried.

Erin Kumpf, Chief Deputy Auditor

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