

JANUARY 20, 2026 – GENERAL MEETING

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

APPROVAL OF THE AGENDA:

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

PUBLIC COMMENT: None

ORDINANCE #318 – FIRST READING:

Moved by Commissioner Dinger, seconded by Wiese to approve the First Reading of Proposed Ordinance #318. Applicant Marilyn Thum to rezone from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its future use: Description of property: Proposed Lot 1, “Hitchcock First Addition” in the NW1/4 NE1/4 and the NE1/4 NW1/4 of Section 17-T121N-R60W of the 5<sup>th</sup> P.M., Brown County, South Dakota (40751 144th Street, Bates Twp.). All members present voting aye. Motion carried.

ORDINANCE #319 – FIRST READING:

Moved by Commissioner Dennert, seconded by Gage to approve the First Reading of Proposed Ordinance #319. Applicant Larson Land Limited Partnership to rezone from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its future use: Description of property: Proposed Lot 3, “Larson-Wockenfuss Addition” in the S1/2 of Section 29 and N1/2 of Section 32-T125N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota (approx. 39518 123rd Street, Columbia Twp.). All members present voting aye. Motion carried.

ORDINANCE #320 – FIRST READING:

Moved by Commissioner Dinger, seconded by Wiese to approve the First Reading of Proposed Ordinance #318. Applicant Chad Pray to rezone from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its future use: Description of property: Proposed Lot 1, “MB Bellikka Addition” in the SE1/4 of Section 30-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (approx. 12851 389th Avenue, Ordway Twp.). All members present voting aye. Motion carried.

AMEND RESOLUTION #2026-07:

Commissioner Dennert brought the following resolution:

RESOLUTION #2026-07 - Amended

A RESOLUTION ESTABLISHING A POLICY FOR REMITTANCE OF FEES COLLECTED TO THE COUNTY TREASURER

WHEREAS, Brown County departments collect various funds due to the County in the course of the administration of government.

WHEREAS, SDCL 7-11-1 designates the County Treasurer as the receiver of “all money belonging to the county from whatever source derived and other money which by law is directed to be paid to the treasurer.”

WHEREAS, SDCL 7-23-6 requires “all treasurers, sheriffs, clerks, constables, and other officers chargeable with money belonging to any county” to “render their accounts to and ... pay into the county treasury any balance which may be due the county.” *See also SDCL 7-12-19.1; 7-9-17;*

WHEREAS, the Counties desire to establish a policy for timely remittal to the treasurer of all funds received by departments of Brown County.

NOW, THEREFORE, BE IT RESOLVED, that the policy of Brown County shall be that all fees collected by any department of Brown County shall be remitted to the County Treasurer by no later than 9am on the first business day following the last business day of the month in which such fees were collected.

Dated at Aberdeen, South Dakota, this 20<sup>th</sup> day of January, 2026.

Seconded by Commissioner Wiese.

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

AMEND RESOLUTION #2026-09:

**BUILDING, ZONING, CONSTRUCTION PERMIT FEE SCHEDULE AMENDMENTS:**

Commissioner Wiese offered the following:

RESOLUTION # 2026-09 - Amended

WHEREAS, by authority of Chapter 4.26 Second Revision Brown County Ordinances, the Board of Brown County Commissioners may alter or amend the fee schedule, charges, expenses and collection procedure for Building, Zoning, or Construction Permits, and

WHEREAS, it has been determined that the fee schedule established by Resolution #07-24, be amended; and

WHEREAS, it has been determined that fees will be based upon the valuation of the project as shown in Table 2026 "Permit Fee Schedule", and

WHEREAS, it has been determined that a minimum fee be set; and

WHEREAS, it has been determined that an *Administrative Fee* be applied when any construction has commenced prior to application, prior to approval, and/or prior to receiving a Permit; and

WHEREAS, it has been determined that a *Surcharge* be applied when any construction has commenced prior to application, prior to approval, and/or prior to receiving a Permit.

NOW, THEREFORE, BE IT RESOLVED by authority of Chapter 4.26 Second Revision Brown County Ordinances, the following fee schedule for Building, Zoning, or Construction Permits is hereby approved and adopted to be effective January 20, 2026 as shown on TABLE 2026 PERMIT FEE SCHEDULE:

**PLANNING & ZONING - "TABLE 2026 PERMIT FEE SCHEDULE"**

- Moving Permit - \$10
- Fireworks Permit - \$25
- Demolition Permit - \$10
- Sign: face replacement - \$20
- Sign: new construction set - \$100
- Fence Permit: (for inside community, not rural) - \$10
- Flood Plain Development Permit (FPDP) - \$20 / \$10 with other permits
- Zoning Permit - \$25.00 minimum fee for any construction from \$0 to \$10,000
- Zoning Permit - \$3.00 per \$1,000 of valuation of project construction after \$10,000
- Penalty - Administrative Fee: Failing to obtain a PERMIT prior to construction (\$50.00)
- Penalty - Surcharge: Construction commenced prior to an Approved Permit application.

(Penalty fee is equal to 1/2% times the total project valuation; ex: 0.50% x \$500,000 = \$2,500)

Seconded by Commissioner Gage.

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

**FAIR CONTRACTS:**

Moved by Commissioner Dinger, seconded by Wiese to approve and authorize Chairman Sutton to sign the Trash Pick-up Contract for the 2026 Brown County Fair with Aberdeen Cycling Association in the amount of \$10,000.00. All members present voting aye. Motion carried.

Moved by Commissioner Gage, seconded by Dennert to approve and authorize Chairman Sutton to sign the contract with Keith Raymond to perform Magic Shows for 5 days with up to 3 shows per day in the amount of \$5,350.00. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Dinger to approve and authorize Chairman Sutton so sign the contract with XMC Entertainment, LLC/Minor Mischief A Cappella Group to perform for 4 days with 2 shows per day in the amount of \$10,000.00. All members present voting aye. Motion carried.

**EMPLOYEE HANDBOOK:**

Moved by Commissioner Wiese, seconded by Dennert to approve the amended and submitted Employee Handbook. All members present voting aye. Motion carried. Chairman Sutton wanted to Thank the Human Resource Department for all their work on updating the Employee Handbook.

**SET BID DATE FOR HOT "IN-PLACE" RECYCLING ON CO. ROAD 14 & AUTHORIZE ADVERTISING:**

Dirk Rogers, Highway Superintendent asked to set a Bid Date of Tuesday, February 17, 2026 and authorize advertising for Bids on County Road 14 for Hot "In-Place" Recycling from south of the Airport up the bypass to the County Line. Moved by Commissioner Wiese, seconded by Dennert to approve the recommendation to set bid date for Tuesday, February 17, 2026 for Hot "In-Place" Recycling on Co. Road 14 and authorize advertising of the bids. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Commissioner Dinger, seconded by Wiese to approve the General Meeting Minutes of January 13, 2026. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Commissioner Gage, seconded by Wiese to approve the following Claims: Insurance: SD Public Assurance Alliance \$367,869.06. Professional Fees: Avera Aberdeen Family Physicians \$159.88; Avera McKennan \$7.78; Avera Medical Group Radiology \$94.07; Avera St. Luke's Hospital \$533.13; Carrels & Bain Family Dental Care \$604.91; Certified Languages International \$1,679.70; CGI LLC \$1,610.00; Dean Schaefer Court Reporting \$105.00; Faulk County Sheriff's Office \$5,580.00; IMEG Corp \$5,000.00; Kristi Brandt \$34.50; Kuck Law Office \$817.70; Lewis & Clark BHS \$225.00; Lucy Lewno \$240.00; Modern Day Health Care Prof \$1,259.02; Network Center Inc \$352.50; Northeastern Mental Health Center \$4,025.00; Richardson, Wyly, Wise, Sauck & Hieb LLP \$50.00; Taylor Bell \$289.40. Publishing: Groton Daily Independent \$40.48; McQuillen Creative Group Inc \$1,753.41; Southwest Messenger Press \$97.44. Rentals: Advantage Self Storage \$276.00. Repairs & Maintenance: Amazon Capital Services Inc \$39.00; Dakota Pump & Control \$642.86; Diesel Machinery Inc \$11,000.00; Graham Tire Inc \$251.30; Hase Plumbing, Heating & Air Conditioning \$1,244.61; Karl Emergency Vehicles \$22,338.00; Midwest Pump & Tank \$120.00; Pierson Ford Lincoln \$34.25; Steven Lust Automotive \$91.48. Supplies: Amazon Capital Services Inc \$1,810.24; Avera LTC Pharmacy Aberdeen \$934.63; Bob Barker Company Inc \$282.24; Central Network Retail Group \$4.98; Century Business Products \$830.59; Christina M. Flack \$1,139.52; Cole Papers \$1,670.95; Geffdog Designs \$365.71; Graham Tire Inc \$271.35; Kuck Law Office \$20.16; Lucy Lewno \$6.73; Menards \$357.10; Midstates Group \$2,596.00; Midwest Pump & Tank \$73.80; Performance Oil \$76.68; PharmChem Inc \$1,204.34; Pierson Ford Lincoln \$193.07; Safety Service \$151.71; Schwan Welding \$19.60; Tyler Business Forms \$1,150.36. Travel & Conference: CGI LLC \$48.91; Karpel Solutions \$1,200.00; Kyle Couchey \$19.00; Neil Bittner \$19.00; Ramkota Hotel & Conference Center-Pierre \$122.00. Utilities: Amazon Capital Services Inc \$60.54; CenturyLink \$505.98; City of Aberdeen \$504.39; City of Hecla \$248.13; Northern Electric \$1,293.61; Northwestern Energy \$2,871.33; NVC \$2,813.55; State of South Dakota PMB 0112 \$94.00; Verizon Wireless \$460.29. Other: 2025 December Transmittals \$503,503.32. All members present voting aye. Motion carried.

#### HR REPORT:

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

- Resignation of Alexandra Chavez-Alvarez as Brown County Jail Cook, FT – effective January 14, 2026. Request to fill.

All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Commissioner Dennert, seconded by Wiese to approve and authorize Chairman Sutton to sign the following lease agreements: Dawson Hepper & Abigail Allison to lease the Richmond Lake Youth Camp from June 11-13, 2027 for their wedding; Angel & Jason White to lease the Richmond Lake Youth Camp on September 19, 2026 for a wedding; Vicki Rossow to lease the Club House on September 10-14, 2026 for a wedding; Liebelt's RV for lease of the Holum Expo Building on March 9-23, 2026 for RV Show. All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Dennert to approve the following Travel Requests: Chris Hemen, Mike Rohrbach & Jerry Lehrkamp, Weed & Pest to attend the Annual Weed & Pest Conference on February 17-20, 2026 in Deadwood; Lynn Heupel, Auditor to attend Legislative Session to testify on Thursday, January 22, 2026 in Pierre. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Commissioner Gage, seconded by Wiese to acknowledge and approve the Sheriff Reports from January – November 2025. All members present voting aye. Motion carried.

OTHER BUSINESS: None

EXECUTIVE SESSION:

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

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

MISC. BUSINESS:

Auditor Heupel was asked to explain HB1060, regarding removing the 5% cushion on the budget process, that she is going to be testifying on in Pierre.

Chairman Sutton shared that he had asked Auditor Heupel for Year-End Budget Reports by department, those were passed around the room for review.

ADJOURNMENT:

Moved by Commissioner Dinger, seconded by Wiese to adjourn the Brown County Commission at 9:29 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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