

SEPTEMBER 22, 2026 - 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. Auditor Heupel led the Pledge of Allegiance.

MOMENT OF SILENCE:

Chairman Sutton asked for a moment of silence in remembrance of Lars Herseth, Former Legislator.

APPROVAL OF AGENDA:

Chairman Sutton shared that the Bid Contracts for the Highway Department were being scratched from the agenda this week. Moved by Commissioner Gage, seconded by Dennert to approve the amended agenda. All members present voting aye. Motion carried.

PUBLIC COMMENT: None

REQUEST TO REMOVE LIEN:

Roxie Merkel and Julie Wurst met with the Commission to see about releasing the lien for their mother, Frances Martens. Chairman Sutton shared that in 2007 the lien was released on the property, with the condition that payments continue to be made which they did through November 2023. It was asked of the State's Attorney to look into our options. Commissioner Dinger stated that we don't make a habit of releasing liens because that is unfair to the taxpayers and he doesn't want to set a precedence here. After further discussion, it was moved by Commissioner Dennert, seconded by Dinger to postpone action to determine options. Chairman Sutton asked them to give thoughts to what they would be willing to give in order to settle on as well. All members present voting aye. Motion carried.

RICHMOND DAM UPDATE: None

QUOTES FOR DOOR INSTALLATION FOR ROOF ACCESS AT 115 1ST AVE SW:

Randy Zens, Building Superintendent presented 3 Quotes for installing a door for roof access at 115 1st Ave. SW Building. The quotes were as follows: JDH Construction for \$8,030.00; Quest Construction for \$12,887.17 and Huff Construction for \$17,419.00. Randy recommended accepting the JDH Construction bid. Moved by Commissioner Dennert, seconded by Gage to accept the JDH Construction bid for \$8,030.00 to install a door for roof access at 115 1st Ave. SW Building. All members present voting aye. Motion carried.

SET BID DATES & AUTHORIZE ADVERTISING FOR ELEVATOR REPAIRS (115 1ST AVE SW):

Randy Zens, Building Superintendent, asked to set bid dates and authorize publication. Publish notices on September 30th & October 7th, with opening bids on October 13th. Moved by Commissioner Dinger, seconded by Gage to authorize publication and set bid date of October 13th for Elevator Repairs at 115 1st Ave. SW Building. All members present voting aye. Motion carried.

2027 BUDGET DISCUSSION FOR STATE'S ATTORNEY:

Karly Winter, State's Attorney was on her way, so it was moved by Commissioner Dinger and seconded by Dennert to table this until Karly arrived. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCIES:

Moved by Commissioner Dinger, seconded by Gage to approve the following application submitted by Northern Valley Communications (NVC) for occupancy of Brown County Highway 13 in Section 34/33, Township 124, Range 64, Brown County, South Dakota to provide Fiber Optic Line for NVC Communications. All members present voting aye. Motion carried.

Moved by Commissioner Gage, seconded by Dennert to approve the following application submitted by Northern Valley Communications (NVC) for occupancy of Brown County Highway 10/23 in Section 35/36, Township 122, Range 64, Brown County, South Dakota for the purpose of provide Fiber Optic Line for NVC Communications. All members present voting aye. Motion carried.

Moved by Commissioner Dinger, seconded by Gage to approve the following two applications submitted by Jon Locken in order of Basin Construction for occupancy of Brown County Highway 21, Section 11, Township 122N and Range 63W, Brown County, South Dakota for the purpose of two bores and install subsurface drainage. All members present voting aye. Motion carried.

Moved by Commissioner Dennert, seconded by Gage to approve the following application submitted by Web Water Development Assoc. for occupancy of Brown County 10 (aka 387th Ave.) in Section 26, Township 124, Range 64, Brown County, South Dakota to install potable waterline service. All members present voting aye. Motion carried.

SET DATE FOR HIGHWAY 5-YEAR PLAN:

Dirk Rogers, Highway Superintendent, requested setting October 13th as the date for the hearing of the Highway 5-year plan. Moved by Commissioner Dinger, seconded by Gage to approve and set hearing date of October 13th for the 5-year plan. All members present voting aye. Motion carried.

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent, informed the Commission that County Road 14 and 27 will be completed by end of October, main thing will be the 40 degree weather limitation. They will finish chip sealing on 16 today. Also, will be blotting East/West Road at Stratford. Weather permitting will be sealing County Rd 9 west of 281. Then will do the prep work on 14 & 27 ahead of the paver. Sand Lake Bridge is getting close to boring bridge deck depending on the weather. Hauling concrete from the Landfill to crush and pile of concrete from Groton that will be used for rip rap.

Dirk Rogers, Highway Superintendent, gave an update on the Women's Building at the Fairgrounds. He reached out to the Historic Society and was confirmed that it does not qualify for National Historic Registry due to changes that have been made to the building and the fire. Dirk also shared that the Asbestos sampling/testing came back with none found. Chairman Sutton informed everyone that Aberdeen City Manager reached out and informed us that they are not interested in the building or moving it to Wylie. Moved by Commissioner Dennert, seconded by Gage to move forward with demolishing and removal of the Women's/Home Arts Building. All members present voting aye. Motion carried.

2027 BUDGET DISCUSSION FOR STATE'S ATTORNEY:

Karly Winter, State's Attorney asked the Commission to request an additional \$10,000.00 to her 2027 Budget due to having 2 individuals interested in Interning at the State's Attorney Office. Generally, between the second and third year of law school it is a paid internship. They are both from Aberdeen and want to return to Aberdeen so want to do our best to keep them involved in the legal community of Aberdeen. Internships often turn into Clerkship, which often turns into employment in the community. One would intern from January through May and the other would intern May through August. Moved by Commissioner Dinger, seconded by Gage to approve increasing State's Attorney Budget by \$10,000.00 for the 2027 Budget. All members present voting aye. Motion carried.

ORDINANCE #334 – FIRST READING:

Moved by Commissioner Dinger, seconded by Gage to approve the First Reading of Proposed Ordinance #334. Applicant County Line Developers to rezone from Residential District (R-1) to Highway Commercial District (HC) to bring this parcel into compliance for its future use. Description of property: Lot 2 "Ronnie's Way Addition" in the NW ¼ of Section 17-T123N-R63W of the 5th P.M.,

Brown County, South Dakota (2620 8th Ave. NE; Aberdeen Twp.). All members present voting aye. Motion carried.

ORDINANCE #335 – FIRST READING:

Moved by Commissioner Dennert, seconded by Gage to approve the First Reading of Proposed Ordinance #335 to amend Title 4 Zoning Ordinances of Chapter 4.01 – Definitions; Chapter 4.06- Agricultural Preservation District (AG-P); Chapter 4.22 – Administrative Procedure and Enforcement- Permits. All members present voting aye. Motion carried. (Full copy of Ordinance is available in the Auditor’s Office during normal business hours).

ORDINANCE #336 – FIRST READING:

Moved by Commissioner Gage, seconded by Dinger to approve the First Reading of Proposed Ordinance #336 to amend portions of the Brown County Comprehensive Plan 2020-2040, Chapter 2 – Land Use. All members present voting aye. Motion carried. (Full copy of Ordinance is available in the Auditor’s Office during normal business hours).

SUPPORTING 911 TELECOMMUNICATIONS AS CLASS B MEMBERS OF SDRS:

Commissioner Gage brought the following Resolution

RESOLUTION #2026-38

**A RESOLUTION SUPPORTING THE CLASSIFICATION OF BROWN COUNTY
COMMUNICATIONS 911 TELECOMMUNICATORS AS CLASS B MEMBERS OF THE SOUTH
DAKOTA RETIREMENT SYSTEM**

WHEREAS, a 911 telecommunicator is defined in SDCL 34-45-22 as any employee of the state, or any political subdivision thereof whose primary full-time or part-time duties are receiving, processing, and transmitting public safety information received through a 911 emergency reporting system as defined in SDCL 34-45-1; and

WHEREAS, the daily duties of a telecommunicator can be demanding, stressful, and emotionally exhausting; and

WHEREAS, low unemployment and labor challenges compel new strategies to retain these dedicated public servants; and

Whereas, it is the position of the Brown County Commission to classify the county’s 911 telecommunicators as Class B members of the South Dakota Retirement System;

NOW, THEREFORE, BE IT RESOLVED BY BROWN COUNTY, SD:

That the Brown County Commission strongly encourages the South Dakota Retirement System Board of Trustees to reclassify the county’s 911 telecommunicators as Class B members of the South Dakota Retirement System.

Dated this 22nd day of September 2026.

Seconded by Commissioner Dennert.

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

MINUTES:

Moved by Commissioner Dinger, seconded by Gage to approve the General Meeting Minutes of September 8, 2026. All members present voting aye. Motion carried.

CLAIMS/PAYROLL:

Moved by Commissioner Dennert, seconded by Gage to approve the following claims and payroll.

Claims: Professional Fees: Aberdeen Advanced Care Ambulance \$8,050.00; Alcohol Monitoring Systems, Inc. \$1,461.10; Certified Languages International LLC \$1,465.20; Cogley Law Office, Prof

LLC \$414.80; County of Edmunds \$3,740.00; Credit Collections Bureau \$197.95; Dependable Sanitation, Inc \$41,055.00; Fox Law Firm, PLLC \$300.00; Houston Engineering, Inc \$11,251.35; IMEG Corp \$75,934.07; Kramp Enterprise and Investment \$41,627.44; Language Line Services, Inc \$738.52; Lenling Law Office, Prof. LLC \$549.00; Lewis & Clark BHS \$720.00; LexisNexis Risk Data Mgt, LLC \$200.00; Lincoln County Auditor \$2,598.45; Mark Katterhagen \$20.00; Modern Day Health Care Prof LLC \$4,725.00; Network Center, Inc \$6,715.10; Northeastern Mental Health Center \$1,881.25; PharmChem, Inc \$1,965.00; Sanford Health Occupational Medicine \$52.00; Sanford Health \$8,213.00; Sara Zahn \$218.00; Schriver's Memorial Mortuary, Inc \$4,550.00; SD Dept of Health \$2,370.00; South Dakota Department of Health \$50.00; Tammy Stolle Court Reporting \$165.70; Thomson Reuters – West Payment Center \$625.26; Valerie Larson \$20.00; Valstone Corporation Inc \$2,000.00; Vosika Fencing \$1,750.00; Yankton County Sheriff's Office \$200.00. Publishing: Dakota Broadcasting, LLC \$795.00; DRG Media Group \$2,478.00; Groton Daily Independent \$415.41; i3G Media \$2,490.00; KSJB/KSJZ Radio \$3,000.00; McQuillen Creative Group, Inc \$515.59. Rentals: Dakota Electronics LLC \$289.90; Vestis \$264.70. Repairs & Maintenance: Allstates Pavement Recycling & Stabilization \$552,301.70; Auto Value Aberdeen \$51.68; Burdette Security & Technologies, LLC \$360.00; C Express Inc \$12.00; Diesel Machinery, Inc \$8,000.00; EcoLab Pest Elimination Division \$150.00; Eilers Water Conditioning and Law Irrigation \$180.00; Jake's Heating & Cooling \$575.00; Jim Hein \$800.00; JPS Interperability Solutions, Inc. \$3,685.00; Kramp Enterprise and Investment \$1,402.02; Meister Mowing LLC \$105.00; Pierson Ford Lincoln, Inc \$74.33; Pomp's Tire Service, Inc \$1,413.81; Safety Service, Inc \$8,275.00; SD Dept of Public Safety \$2,340.00; Steven Lust Automotive \$305.18; Titan Machinery \$814.68. Supplies & Materials: Advance Auto Parts \$20.50; Amazon Capital Services, Inc \$1,812.24; Century Business Products \$638.06; Charm-Tex, Inc \$663.56; Christina M. Flack \$800.00; Coca-Cola Bottling Company High Country \$256.00; Cole Paper Inc \$2,541.84; Crescent Electric Supply Co \$2,187.32; Dakota Electronics LLC \$165.00; Dakota Fluid Power, Inc \$107.39; Dakota Oil \$107.50; Dakota Supply Group \$620.67; Diesel Machinery, Inc \$529.86; Doll Distributing, LLC \$320.40; Fox Law Firm, PLLC \$5.36; Hall Sand & Gravel, Inc \$4,389.22; Jebro Inc \$119,716.90; John Florey \$26.54; Ken's SuperFair Foods \$2,182.64; L.G. Everist, Inc \$18,271.59; Lien Transportation Company \$2,689.75; Lincoln County Auditor \$150.00; Linde Gas & Equipment Inc \$696.95; Marco Technologies, LLC \$37.13; McDonald's \$151.86; Midstates Group \$50.00; Midwest Pump & Tank \$51.00; NVC \$34.38; Performance Oil \$629.24; Pierson Ford Lincoln, Inc \$45.00; Porter Distributing \$127.85; Pro Ag Supply, Inc \$8.67; Runnings \$25.38; Safeguard \$241.51; Safety Service, Inc \$9,916.03; Schwan Welding \$137.18; Sherwin Williams \$43.42; Shop 4-H/National 4-H Council \$129.20; Sprocket Ventures, LLC \$285.50; Titan Machinery \$1,332.39; BCF Competitive Exhibits Winners 2026 \$1,150.00. Travel & Conference: Austin Ball \$19.00; Lincoln County Auditor \$75.00; Lynn Heupel \$412.95; Mariann Malsom \$318.00; Michael Wiese \$418.78; Neil Bittner \$38.00; Patricia VanMeter \$290.00; Scott Kolb \$38.00. Utilities: CenturyLink \$581.23; City of Aberdeen Treasurer \$10,079.13; City of Hecla \$162.42; Northern Electric \$117.50; Northwestern Energy \$2,109.94; NVC \$2,888.07; State of South Dakota PMB 0112 \$88.00.

Payroll #18: Commission \$5,165.81; Elections \$3,387.27; Auditor \$9,789.28; Treasurer \$19,727.72; SA \$38,162.52; Public Defender \$14,449.34; Maintenance \$11,656.70; Assessor \$17,579.79; Register of Deeds \$12,328.05; VSO \$5,259.85; GIS \$3,110.76; IT \$10,616.94; HR \$5,721.14; Sheriff \$58,787.88; Jail \$79,890.06; Coroner (Voucher) \$1,500.00; Court Security \$8,910.20; JDC \$32,018.17; Support of Poor \$1,124.71; Museum \$14,191.24; Parks/Fairgrounds \$10,997.63; Fair Board \$5,383.44; 4-H \$1,445.71; Weed \$8,916.31; Planning & Zoning \$8,640.62; Highway \$57,172.46; Dispatch \$38,427.15; Emergency \$5,805.33; 24/7 Sobriety \$2,877.57; Landfill \$14,430.06; Meal Benefits \$76.00; Tips \$180.00; FICA \$38,020.12; Medicare \$7,034.42; HSA \$2,514.68.

Payroll #19: Commission \$5,165.81; Elections \$3,393.66; Auditor \$9,564.18; Treasurer \$19,859.61; SA \$38,068.99; Public Defender \$14,449.34; Maintenance \$11,149.92; Assessor \$17,506.93; Register of Deeds \$12,629.04; VSO \$5,259.85; GIS \$3,110.76; IT \$10,766.94; HR \$5,755.54; Sheriff \$59,924.20; Jail \$81,793.74; Coroner (Voucher) \$1,100.00; Court Security \$7,618.73; JDC \$36,190.89; Support of Poor \$1,124.71; Museum \$14,739.59; Parks/Fairgrounds \$9,864.94; Fair Board \$4,858.36; 4-H \$1,079.96; Weed \$8,407.41; Planning & Zoning \$8,510.51; Highway \$54,245.12; Dispatch \$41,455.18;

Emergency \$5,805.34; 24/7 Sobriety \$2,902.99; Landfill \$15,914.41; Meal Benefits \$66.00; Tips \$838.00; FICA \$30,401.08; Medicare \$7,109.95; HSA \$2,463.36; Health Insurance-Wellmark BCBS \$153,266.85; Dental Insurance-Delta \$9,991.20; Life Insurance-Dearborn \$1,147.84; Retirement-SDRS \$64,823.56. All members present voting aye. Motion carried.

HR REPORT:

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

- Retirement of Patti Woods as Brown County Emergency Management Assistant Director, FT; effective September 25, 2026. Request to fill.
- Resignation of Daniel Dow as Brown County Jail Detention Officer, FT; effective September 27, 2026. Request to fill.
- Resignation of Jessica Puente Castro as Brown County Museum Curator of Education, FT; effective September 29, 2026. Request to fill.
- Last day for seasonal workers at Brown County Fairgrounds, Breanna Locke and Terrance Dosch; effective September 18, 2026.
- Last day of internships at Brown County Museum for Emmylea Robeson, Abigail Dorn and Katelyn Beckler; effective August 16, 2026.
- Hiring of Jacob Kallenberger as Brown County Landfill Grounds Worker, PT – starting wage \$19.48/hr.; effective September 21, 2026.
- Payment of retirement award for Patti Woods in the amount of \$150.00 before taxes, requirement was met.

All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Commissioner Gage, seconded by Dinger to approve and authorize Chairman Sutton to sign the following lease agreements: Good Shepherd Church to lease Richmond Lake Youth Camp-Lodge Only on October 11, 2026; Justine Sanderson & Tommy Kamen to lease the Clubhouse on September 16-19, 2027 for a wedding. All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Dennert to approve the amended Travel Request for Aaron Walberg, VSO to attend the SDDVA 2026 Annual Benefits School. All members present voting aye. Motion carried.

ZONING ORDINANCES-SET HEARING DATE/AUTHORIZE ADVERTISING:

Moved by Commissioner Dennert, seconded by Dinger to set hearing date and authorize publication for the first reading of the following ordinance to be held on Tuesday, October 13, 2026 in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. Proposed Ordinance #337, applicant JN Development LLC for the purpose of rezoning from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its future use. Description of property: Proposed Lot 1, “JN Development First Addition” in the SW1/4 of Section 35-T125N-R64W of the 5th P.M. Brown County, South Dakota (approx. 38614 124th Street; Lincoln Twp.). All members present voting aye. Motion carried.

JN DEVELOPMENT FIRST ADDITION PLAT:

RESOLUTION #2026-39

Commissioner Gage brought the following Resolution “Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing “JN DEVELOPMENT FIRST ADDITION” in the SW ¼ of Section 35-T125N-R64W 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.” Seconded by Dinger. All members present voting aye. Resolution adopted.

OTHER BUSINESS: None

EXECUTIVE SESSION:

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

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

2027 BUDGET:

Moved by Commissioner Gage, seconded by Dinger to amend the Register of Deeds budget for 2027 to a full-time staff member instead of a part-time staff member. All members present voting aye. Motion carried.

Moved by Commissioner Dinger, seconded by Dennert to not make any changes to the previously approved 2027 Budget for Dacotah Prairie Museum. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Commissioner Dennert, seconded by Dinger to adjourn the Brown County Commission at 10:55 A.M. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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