

JULY 23, 2024 – 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, Fjeldheim, Gage, Sutton, and Wiese. Commissioner Fjeldheim led the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

OPPORTUNITY FOR PUBLIC COMMENT:

Carl Perry, District 3 Representative shared with the Commission the 7 different ballot questions that will be on the ballot in November and encouraged people to go to the Secretary of State website and educate themselves on each item.

Jared & Mark Bossly with Warner Township met with the Commission to express their concerns regarding a Culvert that was put in at 38248 148th Street. Jared mentioned that they feel this will end-up being a Dam and the water will be 6-7' deep. Mark shared that the water used to go straight across the road but is now a mini channel and concerned will cause a flood situation. Commissioners stated they will put it on the agenda for next week so able to discuss the matter further.

PUBLIC HEARING – ALCOHOLIC BEVERAGE TEMPORARY PERMIT FOR SPECIAL EVENT:

Moved by Commissioner Wiese, seconded by Gage to approve the following Alcoholic Beverage Temporary Permit in conjunction with a Special Event for Malt Beverage License to Aberdeen Aqua Addicts, Aberdeen, SD for Midwest Regional Ski Show Tournament to be held at Dahme Lake, Lt 1 Aberdeen Aqua Addicts SD NW 35-T123-R64 (3301 S. Hwy. 281, Aberdeen) Brown County, SD effective July 26-28, 2024. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE TEMPORARY PERMIT IN CONJUNCTION WITH A SPECIAL EVENT:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the following Alcoholic Beverage Temporary Permit for Malt Beverage License in conjunction with a Special Event to Aberdeen Hockey Association (RB-25542) at the Brown County Fairgrounds Clubhouse for Brown County Fair on August 12 – 18, 2024. All members present voting aye. Motion carried.

FY2025 PROVISIONAL BUDGET:

Moved by Commissioner Wiese, seconded by Dennert to approve the FY2025 Provisional Budget and to authorize advertising public hearing for September 3, 2024 for the purpose of considering the foregoing Provisional Budget for the fiscal year of 2025 and the various items, schedules, amounts and appropriations set forth therein and as many days thereafter as is deemed necessary until the final adoption of the budget. All members present voting aye. Motion carried.

MINUTES:

Moved by Commissioner Dennert seconded by Wiese to approve the General Meeting Minutes of July 16, 2024. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Fjeldheim, seconded by Gage to approve the following claims: Professional Fees: CGI, LLC \$477.79; Credit Collections Bureau \$4,777.25; Dakota Trails Investigation \$3,351.01; Jeremy Lund-Siegel Barnett & Schutz, LLP \$195.50; Karly Winter \$40.68; Kristi Brandt \$158.60; Lewis & Clark BHS \$213.00; Liberty Tire Recycling, LLC \$11,843.94; Lucy Lewno \$170.00; Mark Katterhagen \$18.00; Natrona County Sheriff's Office \$55.00; Pottawamie County Sheriff's Office \$36.00; Sanford Health \$1,173.10; SD Dept of Health \$1,740.00; SD Dept of Revenue \$3,087.60; Spitzer Miller Funeral Home \$1,800.00; Thomson Reuters-West Payment Center \$1,661.05; TJ Counseling \$6,450.00; Valerie Larson \$18.00; William A. Moss, Psy.D., LLC \$1,575.00; Yankton County Sheriff's Office \$50.00; Yellow Robe Consulting \$2,700.00; Youngberg Law Prof, LLC \$264.50; Zylstra Investigations \$920.00. Publishing: Gannett California LocaliQ \$68.57; Groton Daily Independent \$109.74; Lakota Times \$26.98; Midstate Group \$6,097.50; Southwest Messenger Press, Inc \$103.88; West River Eagle \$34.44. Repairs & Maintenance: Axon Enterprise, Inc \$19,002.91; IMEG Corp \$17,850.22;

Leidholt Electric, LLC \$198.98; North Central Steel Systems, Inc \$53,007.35; Olson's Pest Technicians \$450.00; Sewer Duck, Inc \$510.00. Supplies: A-1 Locksmithing \$96.00; Advance Auto Parts \$361.20; Amazon Capital Services, Inc \$159.39; Century Business Products \$286.06; Cole Paper Inc \$841.16; Dakota Electronics \$1,268.88; Dakota Supply Group \$86.66; Graham Tire Inc \$846.73; Hall Sand & Gravel, Inc \$3,593.90; Harr Motors \$125.00; Hillary Goff \$300.00; Jensen Rock & Sand Inc \$13,866.20; Lien Transportation Company \$2,340.80; Lucy Lewno \$6.64; McLeod's Printing & Office Supply \$325.00; Menards \$106.45; Midstates Group \$2,072.50; Performance Oil \$328.00; Plumbing & Heating Wholesale, Inc \$369.65; Runnings \$290.83; Stan Houston Equipment Company, Inc \$793.33; Thomson Reuters-West Payment Center \$1,951.46. Travel & Conference: Axon Enterprise, Inc \$209.34. Utilities: CenturyLink \$604.01; City of Aberdeen Treasurer \$4,971.95; Dependable Sanitation, Inc \$532.00; Northwestern Energy \$1,881.28; NVC \$3,195.30; State of South Dakota PMB 0112 \$142.48; T-Mobile \$45.36; Todd County Tribune/Mellette County News \$23.00; Verizon Wireless \$42.68. Machinery & Equipment: Lamb Chevrolet and Implement Inc \$51,015.00. Others: SD Dept of Labor and Regulation \$1,563.33; SD Dept of Revenue \$857,970.94. All members present voting aye. Motion carried.

HR REPORT:

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

- Adjusted effective date: Resignation of Kristin Boeshans, Brown County Museum Curator of Education, FT – effective August 2, 2024.
- Resignation of Balinda Roldan, Brown County 911 Communications Officer, FT – effective July 15, 2024. Request to fill.
- Resignation of Emily Bockorny, Brown County Museum Summer Intern; FT – effective July 19, 2024.
- Resignation of Erislandy Ferrer, Brown County Jail Detention Officer; FT – effective July 27, 2024. Request to fill.

All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

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

TEMPORARY SPECIAL EVENT ALCOHOL LICENSE PERMIT HEARING:

Moved by Commissioner Wiese, seconded by Dennert to authorize advertising public hearing for the following Special Alcohol License Permit: SPURS Therapeutic Riding Center, Aberdeen, SD – SPURS 2nd Addition – NW ¼ of Sec 6-T123N-R63W Brown County, SD on August 13, 2024. (Special License effective September 14, 2024). All members present voting aye. Motion carried.

SET HEARING DATE & AUTHORIZE ADVERTISING - ALCOHOL LICENSE TRANSFERS:

Moved by Commissioner Wiese, seconded by Fjeldheim to set hearing date and authorize advertising for public hearing on the following alcohol transfers on 13th day of August, 2024 in the Chambers of the Brown County Commissioners, in the Courthouse Annex, Brown County, South Dakota: TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: Stacy Gossman, DBA BigZ to transfer license to County Line Developers, LLC, DBA: County Line Club – BC located at 2520 8th Ave. NE – Lt 1 Ronnie's Way Addition, NW ¼ of Sec 17-T123-R 63 of 5th P.M., Brown County, SD; TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: Stacy Gossman, DBA Annie's to transfer license to County Line Developers, LLC, DBA: County Line Club – BC located at 2520 8th Ave. NE – Lt 1 Ronnie's Way Addition, NW ¼ of Sec 17-T123-R 63 of 5th P.M., Brown County, SD; TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: Stacy Gossman, DBA Ollie's to transfer license to County Line Developers, LLC, DBA: County Line Club – BC located at 2520 8th Ave. NE – Lt 1 Ronnie's Way Addition, NW ¼ of Sec 17-T123-R 63 of 5th P.M., Brown County, SD; TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: Stacy Gossman, DBA Bergzy to transfer license located at 2520 8th Ave. NE – Lt. 1 Ronnie's Way Addition Ste E., NW ¼ of Sec 17-T123-R63 of 5th P.M., Brown County to County Line Developers, LLC, DBA: County Line Club located at 2035 8th Ave. NW, Ste. 1 – Lt. 1-2, NE ¼ of Sec 15-T123-R64 of 5th P.M., Brown County, SD; TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: Stacy Gossman, DBA: Tinkaz to transfer license located at 2520 8th Ave. NE – Lt. 1 Ronnie's Way Addition Ste. H,

NW ¼ of Sec 17-T123-R63 of 5th P.M., Brown County to County Line Developers, LLC, DBA: County Line Club located at 2035 8th Ave. NW, Ste. 3 – Lt. 1-2, NE ¼ of Sec 15-T123-R64 of 5th P.M., Brown County, SD; TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: Stacy Gossman, DBA: Caponez to transfer license located at 2520 8th Ave. NE – Lt. 1 Ronnie’s Way Addition Ste. F, NW ¼ of Sec 17-T123-R63 of 5th P.M., Brown County to County Line Developers, LLC, DBA: County Line Club located at 2035 8th Ave. NW, Ste. 2 – Lt. 1-2, NE ¼ of Sec 15-T123-R64 of 5th P.M., Brown County, SD. Hearing date set for August 13, 2024 in the Chambers of the Brown County Commissioners, Brown County, SD. All members present voting aye. Motion carried.

SET HEARING DATE & AUTHORIZE ADVERTISING FOR PACKAGE (OFF-SALE) LIQUOR LICENSES:

Moved by Commissioner Gage, seconded by Wiese to set hearing date and authorize advertising for public hearing on the following applications of Package (Off-Sale) Liquor Licenses on 13th day of August 2024 in the Chambers of the Brown County Commissioners, in the Courthouse Annex, Brown County, South Dakota: PURCHASE – PACKAGE (OFF SALE) LIQUOR: County Line Developers, LLC, DBA: County Line Club located at 2035 8th Ave. NW, Ste. 4 – Lt. 1-2, NE ¼ of Sec 15-T123-R64 of 5th P.M., Brown County, SD. PURCHASE – PACKAGE (OFF SALE) LIQUOR: County Line Developers, LLC, DBA: County Line Club located at 2520 8th Ave. NE, Ste. 4 – Lt. 1 Ronnie’s Way Addition, NW ¼ of Sec 17-T123-R63 of 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ZONING ORDINANCES – SET HEARING DATE & AUTHORIZE ADVERTISING:

Moved by Commissioner Wiese, seconded by Gage to set hearing date and authorize publication for the first reading of the following zoning ordinance to be held on August 13, 2024 in the Commission Chambers, Courthouse Annex. Brown County, South Dakota. Proposed Ordinance #275, applicant Nicole Kempf for the purpose of rezoning the following property from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its future use: Proposed Lot 1, “Palmyra Farmhouse Second Addition” in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota (10260 373rd Avenue, Palmyra Twp.). All members present voting aye. Motion carried.

PRELIMINARY PLAT - JOHNSON AIRPORT SUBDIVISION:

Scott Bader, Planning & Zoning Director informed the Commission that they told the applicant to approach the Airport and get a letter to approve building the homes in this development because at one-time there was talk about the Airport expanding. Moved by Commissioner Gage, seconded by Fjeldheim to approve the Preliminary Plat for James Johnson which includes a new road named Anthony Lane: “Johnson Airport Subdivision” in the SW ¼ of Section 22-T123N-R63W of the 5th P.M., Brown County, South Dakota (approximate address is 1349 S. 391st Avenue, Bath Twp.). Title 5 Subdivision Ordinances require a Preliminary Plat review with a new dedicated road & road name. Commissioner Wiese asked that approaches be included on the final plat. All members present voting aye. Motion carried.

GENGERKE RICHMOND LAKE ADDITION PLAT:

RESOLUTION #37-24

Commissioner Fjeldheim brought the following resolution “Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing: “Gengerke Richmond Lake Addition in the NW ¼ of Section 13, Township 124 North, Range 65 West of the 5TH P.M., Brown County, South Dakota” having been examined is hereby approved in accordance with the provision of SDCL of 1967, Chapter 11-3, and any amendments thereof.” Seconded by Dennert. All members present voting aye. Resolution adopted.

HAUGEN FIRST SUBDIVISION PLAT:

Moved by Commissioner Wiese, seconded by Gage to approve the Plat for Alvin & Nancy Haugen: “Haugen First Subdivision” in the NE ¼ Section 23-T124N-R65W of the 5TH P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

PALMYRA FARMHOUSE SECOND ADDITION PLAT:

RESOLUTION #38-24

Commissioner Dennert brought the following resolution “Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing: “Palmyra Farmhouse Second Addition in the W ½ of Section 18,

Township 128 North, Range 65 West of the 5TH P.M., Brown County, South Dakota” having been examined is hereby approved in accordance with the provision of SDCL of 1967, Chapter 11-3, and any amendments thereof.”
Seconded by Wiese. All members present voting aye. Resolution adopted.

OTHER BUSINESS: None

EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Gage to go into Executive Session for Personnel, Contracts and Legal 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 Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 9:58 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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