

MARCH 18, 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:

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

OPPORTUNITY FOR PUBLIC COMMENT: None

ORDINANCE #290 – FIRST READING:

Moved by Commissioner Dinger, seconded by Gage to approve the First Reading of Proposed Ordinance #290. Applicant Brown County Planning & Zoning to rezone from Agriculture Preservation District (AG-P) to Municipal District (M) to bring these parcels 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 – FIRST READING:

Moved by Commissioner Gage, seconded by Dinger to approve the First Reading of Proposed Ordinance #291. Application has been made by Petitioner North Western Energy – Robert Gehm/ Owners: Donald Young and Harlan Young to 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 properties: *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.

BROWN COUNTY FAIR CONTRACTS:

Rachel Kippley, Fair/Fairgrounds/Parks Manager presented Brown County Fair Contracts asking for approval and authorizing Chairman to sign them for Avery Anna, Uncle Kracker, 38 Special and Redferrin. Moved by Commissioner Dennert, seconded by Dinger to approve the following the 2025 Brown County Fair Contracts: Avery Anna to perform on Wednesday, August 13 for \$25,000.00; Uncle Kracker to perform on Friday, August 15th for \$40,000.00; 38 Special to perform on Friday, August 15th for \$75,000.00; and Redferrin to perform on Saturday, August 16th for \$20,000.00. All members present voting aye. Motion carried.

BROWN COUNTY JUNIOR FAIR BOARD MEMBERS:

Rachel Kippley, Fair/Fairgrounds/Parks Manager asked for the Commission to approve the list of Junior Fair Board Members for 2025 Brown County Fair that she presented. Rachel shared that they go through an interview process, the parents sign off on have a release of liability, if they are returning member, they don't go through the interview process because they have proven they can handle the workload. Commissioner Dinger asked for Rachel to share what their roles are: Rachel informed them that the members are given a list of committees and then they rank them based on their interests; then Fair Board tries to match them with projects they are interested in, which doesn't always happen but the kids are willing to learn and try new things; they work right alongside the Fair Board Members, they have an app they use to inform them of projects and when having a work day, etc.; in the past they have required 50 hours but they are changing that up this year a little bit (Ex. Driving in fence posts for an hour could be equivalent to 5 hours of sitting on the computer sometimes) then they receive a list of activities to help with during Fair week, which is immensely helpful because they never have enough volunteers for all the slots. Commissioner Sutton commented a good way to groom future Fair Board Members. Commissioner Gage mentioned they were behind doing the hot dog eating contest last year. Moved by Commissioner Dinger, seconded by Gage to approve the following Junior Fair Board Members: First Year Members: Iszabell Helm, Addison Hoeft, Kylee Hoffman, Briella Klipfel, Paisley Mitchell and Taryn Thompson; Second Year Members: Jax Holmes, Amara Klipfel, and Gentry Pigors; Third Year Members: Noah Kippley, Titus Kippley, Payton Mitchell and Sascha Usselman. All members present voting aye. Motion carried.

FAIRGROUNDS UPDATE:

Rachel Kippley, Fair/Fairgrounds/Parks Manager shared a Thank-You to the Highway Department for hauling gravel out to the four main roads in the primitive area and working on some drainage there also. They are also prepping the site for the new Small Animal Barn. Rachel informed them some people stepped forward to help them out with the wash rack at the Beef Barn, when they looked at replacing them it would cost \$200,000.00 so what they are doing is the precast concrete blocks to do the wall and have some partnerships to do a chunk of it, won't be the whole thing but will be a huge improvement.

DISCUSS OPTIONS FOR PRECINCTS:

Lynn Heupel Auditor shared four different maps with possible options that Scott Madsen, GIS Coordinator helped her with based on census data and trying to lower the number of precincts within City of Aberdeen due to response from SB 103, which would eliminate Counties being able to use Vote Centers on Election Day. The bill was presented to the Senate State Affairs Committee during Legislative Session, which was passed and sent to the floor. The Senate floor voted it down 13 yays – 22 nays. So, in response to this Auditor Heupel and the Commission have been discussing reducing the number of precincts only within the City of Aberdeen. Brown County currently has 22 precincts and 11 of those precincts are within the City of Aberdeen. Rich Hilgeman, Chairman for the Brown County Republicans was in attendance and voiced concerns by reducing the number of precincts that is less Committeeman and Committeewomen the Republican Party would have at State Convention. Commissioner Gage asked for clarification that it doesn't affect the number of votes that Brown County receives, Rich responded no it does not. Commissioners Gage and Sutton were in favor of Option #3, where it would reduce the precincts to 4, followed the Aberdeen City Council Boundaries/Districts and the number of people were as follows: Precinct 1 = 6981; Precinct 2 = 7208; Precinct 3 = 7148; Precinct 4 = 7146. Commissioner Dennert and Rich Hilgeman were in favor of Option #4, reduce the precincts to 6, combining some of the smaller precincts and the number of people were as follows: Precinct 1 = 3451; Precinct 2 = 4708; Precinct 3 = 5103; Precinct 4 = 5017; Precinct 5 = 5099; Precinct 6=5105. Senator Perry commented that he would like to see things left as they are since the bill didn't pass; Representative Novstrup mentioned he agreed with Senator Perry. No decision has to be made right now, if the Commission decides to change the number of precincts, it needs to be done with a Resolution and at least 100 days before an Election. Maps are available to view at the Brown County Auditor's Office during normal business hours.

MINUTES:

Moved by Commissioner Dinger, seconded by Gage to approve the General Meeting Minutes of March 11, 2025. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Gage, seconded by Dennert to approve the following claims: Professional Fees: Avera Medical Group Radiology \$33.21; Avera St. Lukes \$123.57; Avera St Lukes Hospital \$2,446.19; CGI LLC \$117.19; Christy Griffin-Serr Law Office \$1,020.00; Cogley Law Office \$240.00; Dependable Sanitation Inc \$26,290.80; IMEG Corp \$5,000.00; Jerald M. McNeary \$444.00; Kelli Lardy \$901.60; Lenling Law Office \$640.00; Lewis & Clark BHS \$225.00; Northeastern Mental Health Center \$936.25; Sanford Health Occupational Medicine \$675.00; Sanford Health \$2,434.29; Spitzer Miller Funeral Home \$1,800.00; Taliaferro Law Firm PC \$4,260.00; Yankton County Treasurer \$50.00; Yankton Medical Clinic \$528.02; Zylstra Investigation \$1,965.00. Publishing: Groton Daily Independent \$416.99; McQuillen Creative Group Inc \$64.68. Rentals: Vestis \$266.48. Repairs & Maintenance: Frederick Fire Department \$2,000.00; Kirk's Auto \$37.55; Pierson Ford Lincoln Inc \$537.41; Pomp's Tire Service Inc \$260.54; Premier Auto \$659.10; Safety Service \$1,265.30; Steven Lust Automotive \$107.67; Valvoline Inc \$37.84; Western States Fire Protection \$1,550.00. Supplies: Advance Auto Parts \$426.36; Amazon Capital Services Inc \$142.84; Avera LTC Pharmacy \$7.48; Big State Industrial Supply Inc \$452.64; Bob Barker Company Inc \$471.28; Brown County Sheriff's Office \$4.28; Central Network Retail Group LLC \$1,198.85; Century Business Products \$971.53; Cole Papers Inc \$1,687.34; Dakota Oil \$655.05; Kirk's Auto \$35.28; Menards \$9.97; Midstates Group \$56.25; NVC \$29.42; Pantorium Cleaners \$540.00; Performance Oil \$431.90; Pierson Ford Lincoln Inc \$366.94; Safety Service \$500.00; Schwan Welding \$345.24; Valvoline Inc \$87.92. Travel & Conference: SD Assoc of County Commissioners \$20.00. Utilities: CenturyLink \$582.61; City of Aberdeen Treasurer \$855.67; City of Hecla \$238.22; Dependable Sanitation Inc \$184.00; Northern Electric \$93.50; Northwestern Energy \$4,254.48; NVC \$3,131.86; State of South Dakota PMB 0112 \$123.52; Verizon Wireless \$2,316.31. Others: Grand Jury Participants \$163.18; Office of Child & Family Services \$10,646.50; SD Assoc of County Officials \$590.00. 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 Human Resources Director, Allison Tunheim:

- Resignation of Joshua Walberg, Brown County Chief Deputy Auditor; FT – effective March 11, 2025. Request to fill.
- Promotion of Jerry Bjerke from Brown County Highway Truck Driver to Brown County Road & Bridge Crew Leader, FT; starting wage \$24.21/hr. – effective March 16, 2025.
- Adding the following volunteer bar tenders to the approved list of Work Comp Purposes:
 - Roxie Bjorklund
 - Val Daschel
 - Jo Miller
 - Jane Johnson
- Adding the following Jr. Fair Board Members to the approved list for Work Comp Purposes:
 - Iszabell Helm
 - Addison Hoelt
 - Kylee Hoffman
 - Jax Holmes
 - Noah Kippley
 - Titus Kippley
 - Amara Klipfel
 - Briella Klipfel
 - Paisley Mitchell
 - Payton Mitchell
 - Gentry Pigors
 - Taryn Thompson
 - Sascha Usselman

All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Dennert, seconded by Dinger to approve the following Travel Requests: C. Scott Bader from Planning & Zoning to attend SD Planners Assoc. “West River Talks” Mini-Conference in Spearfish, SD on March 12, 2025; Ryan McClain & James Marnette, Brown County Jail to attend Statewide 24-7 Sobriety Program Training in Oacoma, SD on May 14-15, 2025; Jon Lemke & Keith Baker, Sheriff’s Office to attend 2025 SD Sheriff’s Conference in Deadwood, SD on April 14-16, 2025; Dirk Rogers, Highway Superintendent to attend Short Course in Deadwood, SD on March 18-20, 2025; Jon Florey & Nick Juenger to attend ATSSA Conference in Fargo, ND on March 17-19, 2025. All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

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

LEASE AGREEMENT:

Moved by Commissioner Dennert seconded by Dinger to approve and authorize Chairman Sutton to sign the following Lease Agreement: Aberdeen Area Humane Society for lease of Holum Expo Building on May 2-3, 2025 for the Spring Second Paw Sale. All members present voting aye. Motion carried.

OTHER BUSINESS:

Senator Perry shared that HB 1052 was signed by the Governor to protect the property rights for the landowners and keep the local control.

Chairman Sutton shared he serves on the 911 Coordination Board; on behalf of the Coordination Board, he wanted to thank all the Legislatures for their overwhelming support of SB 37 that eliminate the sunset on the 911 surcharge. Then told them if they are open to touring our 911 Call Center, they would gladly show it to them.

District 3 Representative Novstrup shared that they fully funded the Restoration of the Richmond Dam. Another interesting fact was in the past, they would be delivering the General Bill – Appropriations on day 40, late at night. This year it was delivered on day 35 and that is the first time in history. Representative Novstrup also shared that they were talking about cutting the maintenance & repair on state buildings – meaning campuses; proposal was to cut in half to balance the budget but instead they ended up allocating an extra \$11 Million, which will be good for Northern State University.

Senator Perry also mentioned that SD Public Broadcasting was going to see funding cut but we the Legislators were able to put that back in as well. He commented that District 3 Representative Schaeffbauer had a couple good bills that passed as well, and it was a good successful year for the Legislators.

Carson Stange from Stratford to discuss drain tile regulations. Scott Bader, Planning & Zoning Director stated we do not permit drain tile. Carson asked if they all agreed that there is no regulation. Chairman Sutton stated that since nothing on the books means they felt it was up to the landowners, Scott said it was a decision made in the past by the Commission. Carson encouraged them to put some regulations on and have a conversation about it and invited the Commissioners to come out to his place and discuss why there should be some regulations because the downstream landowners have rights too. Carson knows it is a big task to regulate it because he has looked into it and how other counties are handling it. Commissioner Dennert took his contact information and Chairman Sutton encouraged him to meet with Scott to discuss his suggestions or ideas, then Scott could determine whether to bring to the Commission or not.

Rachel Kippley, Fair/Fairgrounds/Parks Manager wanted to get the Commissions thoughts on having a campground host volunteer spot, like the State Parks. They are allowed to stay for free, check in campers, check the bathrooms, and do things like that. Since no one was opposed, they will do some research and put something together.

EXECUTIVE SESSION:

Moved by Commissioner Gage, 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 Gage, seconded by Dennert to adjourn the Brown County Commission at 10:25 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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