

## FEBRUARY 17, 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, Sutton and Wiese. Commissioner Dinger led the Pledge of Allegiance.

### APPROVAL OF AGENDA:

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

PUBLIC COMMENT: None

### BID OPENING FOR BROWN COUNTY HIGHWAY HOT ‘IN-PLACE’ RECYCLING PROJECT:

Time and place, as advertised, to open, read and consider sealed bids for Brown County Hot ‘In-Place’ Recycling Project, which includes approximately 13 miles of Hot In-Place Recycling and additional items as set forth in the Contract Documents. Bids were received from the following: Gallagher Asphalt for \$1,188,953.90 and Dustrol, Inc. for \$799,820.90. Moved by Commissioner Wiese, seconded by Dinger to defer for review. All members present voting aye. Motion carried.

### LOAD LIMITS:

Dirk Rogers, Highway Superintendent, discussed Load Limits and wants to wait another week. Load Limits will be discussed again at the February 24<sup>th</sup> Commission meeting.

### DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent, gave a department update: mowed Co. Road 6, still crack sealing, attended the Asphalt Conference last week and will be doing some cold mix patching. Commissioner Wiese mentioned the Richmond Dam Project had a bid date set, so he asked Dirk to see about getting a copy of the specs for them to review.

### AWARD BID FOR BROWN COUNTY HIGHWAY HOT ‘IN-PLACE’ RECYCLING PROJECT:

Dirk Rogers, Highway Superintendent, recommended accepting the bid from Dustrol, Inc. after Mike Gutenkauf and Chelsey Sheridan from IMEG reviewed the bids. Moved by Commissioner Dennert, seconded by Dinger to award the Brown County Highway Hot ‘In-Place’ Recycling Project to Dustrol, Inc. at the cost of \$799,820.90. All members present voting aye. Motion carried.

### ORDINANCE #321 – FIRST READING:

Moved by Commissioner Gage, seconded by Dennert to approve the First Reading of Proposed Ordinance #321. Applicant Kyler & Lia Dinger to rezone from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use: Description of property: “Long’s Outlot 1” in the NW1/4 of Section 26-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (12848 392nd Avenue; Ordway Twp.) The motion passed with 4 votes; Commissioner Dinger abstained due to it being for himself.

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

Moved by Commissioner Wiese, seconded by Dennert to approve and adopt Ordinance #302, with the following amendments and replacement of portions of Title 4 Zoning Ordinances of Brown County, South Dakota by amending Chapter 4.01-Definitions; Chapter 4.06-Agriculture Preservation District (AG-P); replacing existing Chapter 4.36 with a new chapter 4.36 Wind Energy System (WES) all with the proposed changes. All members present voting aye. Motion carried. Ordinance #302 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).

### NECOG AGREEMENT FOR PRE-DISASTER MITIGATION PLAN ASSISTANCE:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the NE Council of Governments Agreement for Pre-Disaster Mitigation (PDM) Plan Assistance. All members present voting aye. Motion carried.

### LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (LEMPG) AGREEMENT:

Moved by Commissioner Wiese, seconded by Dennert to approve and authorize Chairman Sutton to sign the Fiscal Year 2025 LEMPG Agreement. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Rachel Kippley, Fair/Fairgrounds/Parks Manager presented the following Fair Contracts for approval and authorizing Chairman Sutton to sign. Moved by Commissioner Dennert, seconded by Dinger to approve the Ashley Wineland, dba Ashley E Productions contract for 2 shows on August 14<sup>th</sup> & 15<sup>th</sup> for \$5,800.00. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Gage to approve the Lizzy Hofer Band contract for performing in the Clubhouse Beer Garden on August 14<sup>th</sup> & 15<sup>th</sup> for \$6,000.00. All members present voting aye. Motion carried.

Moved by Commissioner Dennert, seconded by Wiese to approve the 1-year contract with Groton HOSA Chapter for cleaning the Grandstands in the amount of \$6,250.00. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Dinger to approve the T & K Rentals contract for the tents the week of the Fair in the amount of \$19,400.00. All members present voting aye. Motion carried.

#### FAIR UPDATE:

Rachel Kippley, Fair/Fairgrounds/Parks Manager, shared they are accepting applications for Junior Fairboard Members, need to be between the age of 14-20. They have a potential person to rent the Richmond Youth Camp House, will be sending the lease agreement for approval. Then Rachel announced they are hosting a You Make A Difference Tour on February 24<sup>th</sup> in the Community Room of the Courthouse.

#### DEPARTMENT OF HEALTH-COMMUNITY HEALTH SERVICES CONTRACT FOR 2026:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the agreement with Department of Health for the Community Health Services for 2026 in the amount of \$21,293.00. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Commissioner Dinger, seconded by Wiese to approve the General Meeting Minutes of February 10, 2026. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Commissioner Dennert, seconded by Wiese to approve the following Claims: Insurance: SD Public Assurance Alliance \$635.16. Professional Fees: Alcohol Monitoring Systems, Inc. \$1,802.70; Area Federal Credit Union \$25.00; Cogley Law Office, Prof LLC \$6,469.60; Dakota Trails Investigation \$1,372.50; Faulk County Sheriff's Office \$3,870.00; Jennifer Canton \$5,275.00; Kuck Law Office \$3,133.90; Network Center, Inc \$9,505.93; Northeastern Mental Health Center \$1,400.00; PharmChem, Inc \$1,981.05; Sanford Health Occupational Medicine \$92.00; Sanford Health \$4,740.00; SD Dept of Health \$3,965.00; SDHSC \$600.00; SDSU Extension \$23,050.00; Thomson Reuters – West Payment Center \$595.49; Yellow Robe Consulting \$1,800.00; Youngberg Law, Prof. LLC \$534.00. Publishing: APG Yellowstone News \$109.23; Groton Daily Independent \$56.56; McQuillen Creative Group, Inc \$272.37. Rentals: Vestis \$224.52. Repairs & Maintenance: Burdette Security & Technologies, LLC \$350.00; Dakota Doors Inc \$1,410.97; Diesel Machinery, Inc \$10587.79; Hase Plumbing, Heating & Air Conditioning, Inc \$387.50; Honeywell International Inc \$33,588.34; Lar-Jo's Specialties \$925.00; Leidholt Electric, LLC \$155.10; Pomp's Tire Service, Inc \$53.50; Steven Lust Automotive \$395.30. Supplies: Amazon Capital Services, Inc \$2,059.01; Cartney Bearing \$94.57; Century Business Products \$986.21; Cole Paper Inc \$426.26; Diesel Machinery, Inc \$3,281.64; Hillyard Sioux Falls \$126.48; Jon Lemke \$315.50; Kiesler Police Supply \$20,383.68; Kuck Law Office \$100.48; Menards \$445.26; Midstates Group \$1,504.75; NVC \$29.03; Radiotronics, Inc \$168.00; Safety Service \$715.50; State 4H Office – Tags Etc. \$35.00. Travel & Conference: Dakota Trails Investigation \$123.20; Kyle Couchey \$19.00; Neil Bittner \$19.00. Utilities: CenturyLink \$496.08; City of Aberdeen Treasurer \$470.25; Economy Propane, LLC \$3,118.40; Northern Electric \$132.63; NVC \$2,472.80; State of South Dakota PMB 0112 \$94.00. Other: SD Dept of Agriculture & Natural Resources \$3,986.58. All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Wiese to approve the following Travel Request: Dirk Rogers, Josh Matthews and Bernel Lee from Highway Department to attend SD Asphalt Conference on February 11-12, 2026 in Mitchell. All members present voting aye. Motion carried.

**LANDFILL TONNAGE REPORT:**

Moved by Commissioner Gage, seconded by Dennert to acknowledge the Landfill Tonnage Report for January 2026. All members present voting aye. Motion carried.

**LEASE AGREEMENTS:**

Moved by Commissioner Dinger, seconded by Dennert to approve and authorize Chairman Sutton to sign the following lease agreements: Hub City Radio to lease the Holum Expo Building on March 28-29, 2026 for Big Boy Toy Show; Spencer & Lisa Opp to lease the Clubhouse on June 12-15, 2026 for a wedding; Aberdeen Home Builders to lease the Holum Expo Building on March 6-8, 2026 for Home Builders Show; Kelsey Rolfes & Jake Pettit for lease the Richmond Lake Youth Camp on October 3, 2026 for a wedding. All members present voting aye. Motion carried.

**SET HEARING DATE/AUTHORIZE ADVERTISING FOR BIDS ON CELL #5 AT THE LANDFILL:**

Moved by Commissioner Gage, seconded by Wiese to set hearing date and authorize publication for Cell #5 Construction at the Brown County Landfill. Bids will be opened on Tuesday, March 17, 2026 at 8:45 a.m. in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**OTHER BUSINESS:** None

**EXECUTIVE SESSION:**

Moved by Commissioner Wiese, seconded by Dinger 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 Wiese to adjourn the Brown County Commission at 9:36 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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