

JANUARY 7, 2024 – REORGANIZATION 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 Sutton led the Pledge of Allegiance.

Fr. Samson with St. Mary's Church opened the meeting with a reading from scripture and a blessing for the Commission.

ADMINISTER OATHS:

Auditor Heupel Administered the Oaths of Office to Commissioners Sutton and Dinger and State's Attorney, Karly Winter.

ELECTION OF CHAIRMAN & VICE-CHAIRMAN FOR 2025:

Auditor Heupel called for nominations for the 2025 Chairperson of the Brown County Board of Commissioners. pursuant to SDCL 7-8-15. Commissioner Gage nominated Commissioner Sutton as 2025 Chairman, which was seconded by Wiese. Commissioner Dennert moved that nominations cease, and a unanimous ballot be cast for Commissioner Sutton as 2025 Chairman of the Brown County Board of Commissioners, seconded by Wiese. All members present voting aye. Motion carried.

Chairman Sutton called for nominations for the 2025 Vice-Chairperson of the Brown County Board of Commissioners. Commissioner Dennert nominated Commissioner Gage as 2025 Vice-Chairman, which was seconded by Dinger. Commissioner Wiese moved that nominations cease, and a unanimous ballot be cast for Commissioner Gage as 2025 Vice-Chairman of the Brown County Board of Commissioners, seconded by Dennert. All members present voting aye. Motion carried.

APPROVAL OF THE AGENDA:

Moved by Commissioner Wiese, seconded by Gage to approve the agenda for the January 7, 2025 meeting. All members present voting aye. Motion carried.

UPDATE BOARD BOOK:

Moved by Commissioner Wiese, seconded by Dinger that 2025 Commission Committee Appointments be as follows: Commissioner Dennert: County Buildings; GROW SD NESDCAP; Fair Board; Legislative Contract; NE Mental Health Center Board, Weed & Pest Board Liaison and Alternate for Union Negotiations. Commissioner Dinger: Aberdeen/Brown County Regional RR Authority; Airport Board; CART; Farm Service Agency (FSA); NECOG and Sick Leave Bank. Commissioner Gage: 4-H Leader's Association/Promotion & Expansion Liaison; Juvenile Detention Alternative Initiative (JDAI); Planning & Zoning Board Liaison; Risk Management Committee; Senior Citizens Board and Alternate for Legislative Contact. Commissioner Sutton: Centennial Village Liaison; Dacotah Prairie Museum Board Liaison; Edwards Preserve Nature Area; Fair Board Liaison; SDACC Catastrophic Legal Board; SD Public Assurance Alliance and Alternate for the 4-H Leader's Association/Promotion & Expansion. Commissioner Wiese: Aberdeen Development Corporation; Glacial Lakes; Local Emergency Performance Committee (LEPC); Range Fire Suppression; Union Negotiations; Welfare Liaison and Alternate for the Aberdeen/Brown County Regional Railroad Authority. All members present voting aye. Motion carried.

EXPENSE POLICY – BROWN COUNTY BOARDS:

Moved by Commissioner Dennert, seconded by Wiese to increase the Weed & Pest Board per diem from \$40.00 per meeting to \$50.00 per meeting. All members present voting aye. Motion carried.

Moved by Commissioner Gage, seconded by Dinger approve the following expense policy for County Boards: Dacotah Prairie Museum and Fair Board – No Per Diem; Planning and Zoning Board - \$75.00 for each meeting attended and if reside outside City Limits of Aberdeen, paid mileage at 67 cents per mile and have expenses paid for by Brown County Planning and Zoning Department if attend the State Conference; Weed & Pest Board - \$50 for each meeting attended and if reside outside City Limits of Aberdeen, paid mileage at 67 cents per mile. All members present voting aye. Motion carried.

ADA COORDINATOR:

Moved by Commissioner Dennert, seconded by Gage to approve leaving Judy Dosch, Building Superintendent as the ADA Coordinator. All members present voting aye. Motion carried.

APPOINTED OFFICIALS:

Moved by Commissioner Wiese, seconded by Dinger to approve Dirk Rogers as Brown County Highway Superintendent from January 1, 2025 to December 31, 2026 per SDCL 31-11-1 (two-year term). All members present voting aye. Motion carried.

INVESTMENT POLICY/OFFICIAL BANK DEPOSITORIES:

Commissioner Wiese brought the following resolution:

RESOLUTION #2025-01

WHEREAS, the nature of tax collections and other revenue is such that cash on deposit in the County's depositories at times exceeds the requirement for current expenditures; and

WHEREAS, it is in the best interest of the County to invest these monies not required for immediate expenditure.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Treasurer is hereby directed to invest Brown County public funds at the highest rate of interest possible at said time on available monies at financial institutions [Dacotah Bank; Dacotah Bank, East Branch; Dacotah Bank, Groton Branch; First National Bank of Frederick; First Savings of Beresford, Hecla Branch; Bank North Warner, Warner Branch; Bank North Waner, Aberdeen Branch; Plains Commerce Bank; US Bank; Great Plains and CortTrust (Swanson)] as designated by the Brown County Commission, and

FURTHER, to furnish quarterly reports detailing same, as authorized by SDCL 4-5-8.

Dated at Aberdeen, South Dakota, this 7th day of January, 2025.

Seconded by Commissioner Dennert.

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

OFFICIAL NEWSPAPERS:

Moved by Commissioner Dennert, seconded by Wiese to designate Aberdeen Insider (McQuillen Creative Group) and Groton Independent as the official Brown County newspapers for 2025 (SDCL 7-18-3).

TAX DEED NOTICES:

Commissioner Wiese brought the following resolution:

RESOLUTION #2025-02

WHEREAS, Brown County has acquired tax certificates on property with delinquent real estate taxes for which tax deeds and notices can be served.

THEREFORE, BE IT RESOLVED, that the Brown County Commission authorizes the County Treasurer, Patty VanMeter to request States Attorney, Karly Winter, and States Attorney Office personnel to act as agents to process said tax deeds and notices.

Dated at Aberdeen, South Dakota, this 7th day of January, 2025.

Seconded by Commissioner Gage.

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

VOLUNTEERS FOR WORK COMP PURPOSES:

Moved by Commissioner Wiese, seconded by Dinger to approve the following Cert volunteers: Erin Bacon, Clayton Blachfod, Bethany Curtis, Scott Grebner, Joshua Halsey, Janet Herman, Tina Hubert, Weylin Hubert, Charla Imrie, Michele Johnson, Jason Kuntz, Brian LaCroix, Alexandra Little, Jared Little, Douglas Mayer, David McGuire, Cathy McNickle, Wendy Mehlhaff, Carla Meints, Trevor Meints, David Meyer, Maria Meyer, Mark Musel, Roberta Nichols, Gayle Opp, Cindy Pigors, Rick Pigors, Nancy Radke, Bryan L Rau, Trenia Rexinger, Bonnie Robinson, Freddie Robinson, Mark Shishnia, Shane Schlichenmayer, Kim Schneider, Donna Sharp, Brian Sharp, Gretchan Sharp, Dale Smid, Pam Smid, Amanda L Steckelberg, Mike L Steckelberg, Sara Street, Lowell Swanson, Sara Swisher, Mike Ullrich, Jason Villhauer, Janice Waltman, Thomas Wanttie and Scott York. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Gage to approve the following Chaplain volunteers: Kendall Aldinger and George Shaver. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Dinger to approve the following Citizens Corp Council volunteers for three-year terms: Terms Expire: December 31, 2026 - Law Enforcement Representative: Dave Lunzman; American Red Cross Representative: Heather Allemang; Emergency Management Representative: Scott Meints; At Large Representative: Josh Halsey. Terms Expire: December 31, 2027 – Salvation Army Representative: Tony Jones; At Large Representatives: Becky Berreth, Brian Sharp and Thomas Wanttie. Terms Expire: December 31, 2025 - Hub Area Radio Club Representative: Roland Moerke; First Responder: Mark Stoks; At Large Representatives: Trevor Meints & Freddie Robinson. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Dinger to approve the following Dive Team volunteers and the Dive Team Recovery Rates: Trent Anderson; Casey Bade; Rodney Bade; Thomas Bentz; Clayton Blachford; Cody Bonn; Michael Dunbar; Mike Kost; Dave McGuire; Brenden Miller; Brett Toennies; and Jason Vilhauer. The Brown County Dive Rescue Team will, upon request, assist in recovering property lost beneath the surface of the water. The charges for said services are as follows: In conditions involving open water the team will charge \$200 per diver per hour. Open water operations require minimum of at least two divers. In conditions involving ice diving operations, Ice diving operations require a minimum of at least five divers. (3 active and 2 standby). The team will charge \$250 per active diver per hour and \$125 per standby diver per hour. These charges will start once the divers are dressed and ready. Per diem and mileage, as set by the Brown County Commission for the current year. These will be charged starting from 22 Court Street to the scene and back. The money received for the above listed charges will be given to Brown County and will be used to help support the operational costs of the Brown County Dive Rescue Team. Team Leaders are Scott Meints and Dave Lunzman. All members present voting aye. Motion carried.

Moved by Commissioner Dennert, seconded by Wiese to approve the following Fair Board volunteers: Conald Burgard, Aaron Dosch, Michelle “Shelly” Eisenbeisz, Dylan Frey, Joel Green, Dwight Guthmiller, Nichole Hacker, Jeff Kippley, Greg Markley, Trevor Meints, Katie Moulsoff, Brodie Mueller, Terry Nash, Eric Pigors, Nancy Radke, Rhonda Retzlaff, Mike Russell, Ethan Sass, Alemita Shelton, Clint Sombke, Dan Stevens, Ryan Swenson, Jayson Tollefson, and Joyce Voeller. Manager is Rachel Kippley, Assistant Manager is McKenzie Bierman, and Administrative Assistant is Stacey Usselman. Commission Representatives Sutton and Dennert. All members present voting aye. Motion carried.

BOARD APPOINTMENTS:

Moved by Commissioner Dinger, seconded by Dennert to approve the following appointments to the Communications Council: County Commission Chair: Duane Sutton and Vice-Chair: Mike Gage, per agreement. Overseer of Communications Center: Dave Lunzman; Director: Kent Jones and Assistant Director: Sarah Jesz. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Gage to approve the following Dacotah Prairie Museum Board: Ginny Lewis, Past President-Term Expires December 27, 2027; Alan Neville, President-Term Expires December 31, 2028; Jennifer Dix, Vice-President-Term Expires December 31, 2026; Sadie Frey, Member-At-Large-Term Expires December 31, 2029; Elisa Sand, Member-At-Large-Term Expires December 31, 2029; Amy Bertsch, Member-At-Large-Term Expires December 31, 2023; Rose Kraft, Member-At-Large-Term Expires December 31, 2026. Commissioner Representative is Duane Sutton. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Dinger to approve the 2025 Planning and Zoning Board which consist of Stan Beckler, David North, Patrick Keatts, Dale Kurth, James Meyers, and Carrie Weisenburger; Alternate is Paul Johnson. Commissioner Representative is Mike Gage. All members present voting aye. Motion carried.

Moved by Commissioner Dennert, seconded by Wiese to approve the 2025 Weed & Pest Board which consists of Dennis Feickert, Duane Jark, Troy Knecht and Tyler Bierman. Commissioner Representative is Drew Dennert. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Gage to approve the 2025 4-H Promotion and Expansion Committee as follows: 4-H Adults: Kristin Johnson, Nathan Miller, and Sadie VanderWal; 4-H Youth: Noah Miller, Anna Johnson, Sophia Fogarty, and Logan Warrington; Non-4-H Adults: Adam Franken, Ashley Dunham, Becky Erickson, and Mikayla Weisser; Ag Representative: Connie Groop. Commissioner Representative is Mike Gage and Commission Sutton is the Alternate. All members present voting aye. Motion carried.

Moved by Commissioner Wiese, seconded by Gage to appoint Commissioner Kyler Dinger as the Commission Representative for NECOG and Farm Safety Agency (FSA). All members present voting aye. Motion carried.

RANGE FIRE SUPPRESSION ASSISTANCE:

Moved by Commissioner Dennert, seconded by Dinger to approve the Range Fire Suppression Assistance members for 2025 be Scott Meints, Emergency Management Director and Patti Woods, Emergency Management Assistant. Commissioner Representative is Mike Wiese. All members present voting aye. Motion carried.

SAFETY COMMITTEE REPRESENTATIVES:

Moved by Commissioner Wiese, seconded by Gage to approve the following members of the Safety Committee: Highway Superintendent, Dirk Rogers; Sheriff or Designated Representative, Dave Lunzman; Maintenance Superintendent, Judy Dosch; Landfill Manager, Mike Scott; Fairgrounds Manager, Rachel Kippley; Emergency Manager, Scott Meints and Record Keeper, Patti Woods.

SD PUBLIC ASSURANCE ALLIANCE REPRESENTATIVES:

Moved by Commission Weise, seconded by Gage to approve the SD Public Assurance Alliance Member Representative as Chairman Sutton and Alternate/County Auditor, Lynn Heupel. All members present voting aye. Motion carried.

HOMELAND SECURITY REGIONAL REVIEW BOARD:

Moved by Commissioner Wiese, seconded by Dinger to appoint Scott Meints, Director of Emergency Management and Dave Lunzman, Sheriff to represent Brown County for the Homeland Security Regional Review Board. All members present voting aye. Motion carried.

HOUSING & REDEVELOPMENT COMMISSION OF BROWN COUNTY:

Moved by Commissioner Dennert, seconded by Wiese to approve the following members of the Housing & Redevelopment Commission: Marty Sabolo, Chairman-Term Expires December 31, 2028; Karl Albers, Vice-Chairman & Treasurer-Term Expires December 31, 2029; Kathy Zerr, Secretary-Term Expires December 31, 2025; Jeff Mitchell, Commissioner-Term Expires December 31, 2026 and Clark Thares, Commissioner-Term Expires December 31, 2027. All members present voting aye. Motion carried.

REGIONAL RAILROAD AUTHORITY COMMISSION:

Moved by Commissioner Wiese, seconded by Dennert to appoint Commissioner Kyler Dinger as Brown County Representative with Commissioner Mike Wiese as the Alternate. All members present voting aye. Motion carried.

DEPT. OF EQUALIZATION (DOE) FEES:

Moved by Commissioner Wiese, seconded by Gage to approve the following fees for DOE: Copies: Rate is 25 cents per page. Receipt will be issued for of each set of copies. Property owners may receive complimentary copies if they are of or about their own parcel. Proceeds will be deposited with the County Treasurer into the general fund.

Transfer of Mass information to a private outside entity: \$500 w/ taxes included. Information Technology downloads pertinent information from BC Connect or DEVNET to a flash drive, which is mailed to the requesting entity or uploaded to their site upon receipt of payment. Payment is deposited with the County Treasurer into the general fund. We typically get two of these requests annually but have had as many as four requests in a year. This will also include smaller data dumps that are sorted for the recipient.

Beacon Subscriptions: See below Web access agreement. We currently have 76 active paying Beacon accounts, accounting for \$19,105.28 received annually. This money is deposited with the County Treasurer into the general fund.

Tax estimates for real estate transfer closings: These are tax estimates we perform for our local title company and realtors so they can calculate appropriate tax credits between buyers and sellers upon real estate transfers. If we

receive a request to do a tax estimate, we will have it ready by five (5) days after we receive the request. These will be charged a total of \$25.00 (including sales tax) to perform the request. If the request is needed with less than 5 days-notice, the charge will be a total of \$40.00 (including sales tax). These fees will need to be paid at the time the estimates are returned to the customer, as we are not allowed to maintain accounts receivable status.

Website Access Agreement: The Brown County website provides real estate information from the convenience of a personal computer 24-hours a day, 7-days a week. Access is allowed by a username and password. There is a fee for access, which covers the expense to provide this service. Fees are based on the number of users and must be paid in advance. **Prices have been adjusted as of July 1, 2023, to reflect the change in state tax rate. Fee Schedule/Annual Fee: (Based on number of users):** 1-5 people/\$319.50; 6-10 people/\$511.20; 11 + people/\$766.80. Temporary User: 1 Month/\$106.50. \$26.63 Setup Fee. All members present voting aye. Motion carried.

FAIRGROUNDS RENTAL RATES:

Moved by Commissioner Gage, seconded by Dinger to establish the following Fairgrounds rental rates:

WINTER STORAGE SPACE RENTAL: October 15 to April 1st - Prepaid Lease -No Refunds – Indoor storage is \$12.00 per linear foot for each unit, including trailer hitch and any overhang. All lengths will be rounded up to the next foot. Outdoor storage is a flat \$200 per item fee.

BARN RENTAL: Beef Barn \$300, Hog and Sheep Barn \$150, Open Class Sheep Barn \$100, West Sheep Barn \$100, Poultry Barn \$100. Half price for days after 2.

CLUB HOUSE: 120' X 80' Per day \$400.00 and \$200 per day for days over two.

Wedding Rate is \$500 for 3 days (Friday 8 AM until Monday 8 AM) - \$50 each additional day needed for set-up or teardown. Clean-up additional \$100.00 if necessary.

EXPO ADDITION: 90' x 240'- Per day \$300.00 - Per day for days over two \$150.00 If fairgrounds personnel need to clean up after the activity..... Clean-up/horse shows \$300.00 - Clean-up/other activities.....\$175.00

HOLUM EXPO BUILDING: 120' x 240' - Per day \$500.00 plus utilities - Per day for days over two \$250.00 plus utilities. If fairgrounds personnel need to clean-up after the activity..... Clean-up/horse shows and bull riding \$300.00 - Clean-up/other Activities.... \$175.00

HORSE STALLS: Set up fee - per stall.... \$12.00

CORRAL PANELS: Trailer - per day.... \$50.00 (Trailer holds 40 panels). Lessee liable for any damages occurring between pickup and return by lessee, plus \$1.00 per mile round trip transportation cost.

HORSE ARENA: 174' x 240'...\$75.00 per show. Smaller groups will be charged on an individual basis.

PORTABLE STAGE: 12' X 30' each or 12' X 60' for both - Not to go out of County-except for Governmental Agencies –Per event \$175.00/each. Lessee liable for any damages occurring between pickup and return by lessee, plus \$1.00 per mile round trip transportation cost.

PEOPLE MOVERS: - \$100.00 per event. Lessee liable for any damages occurring between pickup and return by lessee, plus \$1.00 per mile round trip transportation cost. Trailer required for transport out of town.

BLEACHERS: – Bleachers won't leave the fairgrounds. \$25 per set per event.

BENCHES, CHAIRS, TABLES, PICNIC TABLES, TRASH BARREL: \$3.00 per bench per event. \$2.00 per chair per event. \$10 per table per event. \$25.00 per picnic table per event, \$3.00 per trash barrel per event. Items will not go out of county. Lessee liable for any damages occurring between pickup and return by lessee, plus \$1.00 per mile round trip transportation cost.

JERSEY BARRIERS: \$25.00 per barrier per event. Barriers will not go out of county. Lessee liable for any damages occurring between pickup and return by lessee, plus \$1.00 per mile round trip transportation cost.

CAMPGROUND: (Non- Special Event): \$25.00 per day, \$150.00 per week, \$600 per month (up to 30 days) for pads with power and water. \$30.00 per day, \$180.00 per week, \$700 per month (up to 30 days) for pads with power, water and sewer drops. This includes a 5.7% State Sales Tax. 232 pads with water and power and 36 with power, water, and sewer. All south campgrounds have both 50-amp and 30-amp plug-ins.

SPECIAL EVENT WEEKLY CAMPGROUND RATES: \$100 Primitive; \$180 4-H, Centennial, Go-Kart; \$200 Cottonwood, NEC, Back 40; and \$250 4-H Plus, Evergreen, West Hill (availability based on event). Daily rate for non-reservation camping- \$35 full hook up and \$30 water/power only.

NON-PROFIT RENTAL POLICY: Rental of Brown County facilities or items: Any nonprofit entity interested in leasing an available facility from Brown County may at the time of completing the lease application request a reduced rate on the lease. The rate after adjustment will be fifty percent of the current rental rate. Each request for reduction must be indicated when filling out the application to be considered. Every request will be reviewed and approved on a case-by-case basis by the Brown County Commission.

A non-monetary form of reimbursement may be negotiated, such as volunteering for various responsibilities during the annual Brown County Fair. The Brown County Fair and Fairgrounds Manager can provide a list of tasks needed to be filled. The Lessee will sign a commitment form if agreeing to complete the task, and if not fulfilled, will be billed the amount that would have been charged at the time of leasing the facility or items. All members present voting aye. Motion carried.

RICHMOND YOUTH CAMP RENTAL RATES:

Moved by Commissioner Wiese, seconded by Dennert to establish the following Richmond Youth Camp rental rates:

Daily Rates:

- Lodge Only: \$225 per day
- Dorm Only: \$100 per dorm (3 dormitories available and each one sleeps 36)
- Infirmary Cabin: \$50 per day (Sleeps 8)

Group Rates:

*Apply to camps or events with 2-night minimum

* Group Rates (30 people or less) include a multi-building discount:

- Lodge only \$225/night
- Lodge & 1 Dorm \$300/night
- Lodge & 2 Dorms \$375/night
- Lodge & 3 Dorms \$450/night

If over 30 people, additional individual rates apply beginning at 31st person:

Youth: \$7.00 per person per night (Age 17 and under)

Adult: \$10.00 per person per night (Ages 18 and older)

Deposit: A \$225.00 deposit is required to guarantee all dates. This deposit will only be refunded (or applied to total bill) if the camp is left in a clean and orderly manner and there is no damage. If the cost to clean and repair damage exceed the amount of the deposit, any additional repairs or cleaning costs will be billed. Signed lease, deposit, and proof of insurance shall be sent to: Brown County Auditor, 25 Market Street, Ste. 1, Aberdeen, SD 57401

Cleanup: \$100.00 for the Lodge and \$100 for each of the dorms. Absolutely No Pets allowed in any of the buildings! For further information on Richmond Lake Youth Camp, please visit our web site:

<http://www.brown.sd.us/departments/fairgrounds-parks/richmond-lake-youth-camp>

All members present voting aye. Motion carried.

PLANNING & ZONING FEES:

Moved by Commissioner Gage, seconded by Wiese to establish the Planning & Zoning Fees for 2025:

Application Fee Schedule:

- Appeal Zoning Administrator - \$300.00 (to the Zoning BOA)
- Appeal Zoning Board of Adjustment Decision - \$300.00 (To Circuit Court – Paperwork Prep)
- Appeal Board of Commissioners Decision - \$300.00 (To Circuit Court – Paperwork Prep)
- Rezone Parcel Application - \$350.00
- Preliminary Plat Application - \$25.00
- Vacation of an Existing Plat Application - \$100.00
- Preliminary & Final Plat Application (Combined) - \$150.00
- Variance General Application - \$125.00
- Variance To Structure Setbacks Application - \$125.00
- Variance To Shelterbelt Setbacks Application - \$125.00
- Variance To Approach Separation Distance Application - \$125.00
- Concentrated Animal Feeding Operation (CAFO) - \$325.00
- Conditional Use Petition – Standard Application - \$225.00
- Conditional Use Petition – Wind Energy Application - \$500.00
- Conditional Use Petition – Solar Energy Farm Application - \$500.00
- Conditional Use Petition – District Options Application - \$225.00
- Conditional Use Petition – Cannabis Regulations Application - \$500.00
- Conditional Use Petition – New Communication Towers Application - \$225.00
- Conditional Use Petition – New Sign And/Or Sign Structure Application - \$225.00

- Conditional Use Petition – Any Pipeline or Elec. Trans. Line Application - \$500.00

Permit Fee Schedule:

- Moving Permit - \$10.00
- Demolition Permit - \$10.00
- Sign: Face Replacement - \$20.00
- Sign: New Construction Set - \$100.00
- Fence Permit (For Inside Community, Not Rural) - \$10.00
- Flood Plain Development Permit (FPDP) –
 - \$20.00 Alone
 - \$10.00 With Permit

Construction Permit Fee Schedule:

- Permit: \$25.00 minimum fee for any construction from \$0.00 to \$10,000.00
- Permit: \$3.00 per \$1,000.00 of valuation of project construction after \$10,000.00
- Penalty – Administrative Fee: Failing to obtain a PERMIT prior to construction - \$50.00.
- Penalty – Surcharge: Construction has commenced prior to an Approved Permit application. Penalty fee is equal to 1/2% times total project valuation: Ex. 0.50% x \$400,000.00 = \$2,000.00.

All members present voting aye. Motion carried.

BROWN COUNTY WEED & PEST CONTROL APPLICATION COSTS–2025:

Moved by Commissioner Dinger, seconded by Wiese to establish the following Weed & Pest Control Application rates for 2025:

Private Acreage Spraying:

Labor & Equipment Charges: (1 hour minimum)

Labor Charge/Hour	= \$35.00
<u>Equipment Charge/Hour</u>	= \$65.00
Total Charges/Hour	= \$100.00/hour + \$50.00 setup and travel fee/spray rig + chemical

Government Agency Costs/Acre Sprayed:

Labor & Equipment Charges: (1 hour minimum)

Labor Charge/Hour	= \$35.00
<u>Equipment Charge/Hour</u>	= \$55.00
Total Charges/Hour	= \$90.00/hour + \$50.00 setup and travel fee/spray rig

Township R-O-W Spraying:

Labor & Equipment Charges: (1 hour minimum)

Townships are charged for hours on the job site. The Weed Board absorbs Labor & Equipment costs for travel time to and from the job site.

Labor Charge/Hour	= \$35.00
<u>Equipment Charge/Hour</u>	= \$45.00
Total Charges/Hour	= \$80.00/hour

Mosquito Control:

Labor & Equipment Charges: (1 hour minimum)

FOGGING:

Labor Charge/Hour	= \$40.00
<u>Equipment Charge/Hour</u>	= \$50.00
Total Charges/Hour	= \$90.00/hour + chemical

MISTING:

Labor Charge/Hour	= \$40.00
<u>Equipment Charge/Hour</u>	= \$50.00
Total Charges/Hour	= \$90.00/hour + \$30.00 setup and travel fee + chemical

All members present voting aye. Motion carried.

DESIGNATION OF DEPUTIES:

Commissioner Wiese brought the following Resolution:

RESOLUTION #2025-03

WHEREAS, SDCL Chapter 7-7-20 mandates the designation of the number of deputies and clerks for various offices by the Board of County Commissioners,
 THEREFORE, BE IT RESOLVED, that the following deputies and clerks are authorized at the discretion of the County Officials for County offices: Auditor - 2 Chief Deputies, 2 Senior Deputies; Treasurer - 1 Chief Deputies, 1 Revenue Specialist, 6 Deputies (1 part-time); Register of Deeds - 1 Chief Deputy, 3 Deputies. All extra help hired by County Officials must first be approved by the County Commission.
 Dated at Aberdeen, South Dakota, this 7th day of January, 2025.
 Seconded by Commissioner Gage.
 Roll call vote: Dennert-aye; Dinger-aye; Gage-aye; Sutton-aye; Wiese-aye. Resolution adopted.

INTEREST POLICY:

Commissioner Wiese brought the following Resolution:
 RESOLUTION #2025-04

WHEREAS, to approve the following Policy in regard to interest earned from deposits and investments: State law allows income from deposits and investments to be credited to either the General Fund or the fund making the investment.
 WHEREAS, The County’s policy is to credit all income from deposits and investments to the General Fund during the year, except for interest earned on specific certificates of deposits for the Solid Waste Fund.
 THEREFORE, BE IT RESOLVED, USGAAP requires income from deposits and investments to be reported in the fund whose assets generated that income. Where the governing board has discretion to credit investment income to a fund other than the fund that provided the resources for investment, a transfer to the designated fund is reported when authorized by the Commission. Fund transfers of investment earnings to the General Fund shall not occur in 2025, all funds shall receive the income generated from the assets of the fund.
 Dated at Aberdeen, South Dakota, this 7th day of January, 2025.
 Seconded by Commissioner Gage.
 Roll call vote: Dennert-aye; Dinger-aye; Gage-aye; Sutton-aye; Wiese-aye. Resolution adopted.

EXPENSE POLICY - EMPLOYEES:

Moved by Commissioner Wiese, seconded by Dinger to approve the following expenses rates for Brown County employees for fiscal year 2025:

Meal Reimbursement made only for County travel:

	In-State	Out-of-State	Leave Before	Return After
Breakfast	\$6.00	\$10.00	5:31 AM	7:59 AM
Lunch	\$14.00	\$18.00	11:31 AM	12:59 PM
Dinner	<u>\$20.00</u> \$40.00	<u>\$28.00</u> \$56.00	5:31 PM	7:59 PM

Lodging reimbursed at actual cost, receipt required (if possible, have direct billing, as County tax exempt).
 Reimbursement for use of personal vehicle for County business, as follows: All county employees and officials, except the Sheriff shall be paid for traveling expenses for each mile traveled in the discharge of their official duties at 67 cents per mile. Miles to be determined by the assistance of Map Quest or similar web site; Odometer readings required for all destinations not available on web site; Odometer reading only required once to establish routine destination routes, i.e., per diem for board members. All members present voting aye. Motion carried.

EXPENSE POLICY - ELECTION OFFICIALS:

Commissioner Wiese offered the following Resolution:
 RESOLUTION #2025-05

WHEREAS, SDCL 12-15-11 states that each vote center superintendent and vote center deputy shall receive a fee to be established annually by resolution of the board of county commissioners at its first regular meeting each year. The person delivering the poll books and ballot boxes to the proper authority at the county seat shall receive the county rate for mileage as established pursuant to SDCL 7-7-24, for miles necessarily traveled in going to and returning from making the delivery.

WHEREAS, SDCL 12-15-1.3 states that in addition to the vote center election board, the person in charge of the election may appoint a person to be designated as the vote center assistant. The vote center assistant may not perform any of the duties of the vote center superintendent or vote center deputies unless specified by statute. The vote center assistant may assist with setting up the polling place, directing voters to the proper election board, and providing instruction on the use of the electronic ballot marking system.

THEREFORE, BE IT RESOLVED that the following rates will be paid to election workers:

Attendance at Election School(s)	\$25.00 per person
Election Workers – Day of Election	\$275.00 per person
Absentee Board	\$15.50 per hour
Temporary Election Workers	\$15.50 per hour
Post Election Audit Board	\$15.50 per hour
State Rate will be paid for mileage	Currently \$0.67 per mile

Dated at Aberdeen, South Dakota, this 7th day of January, 2025.

Seconded by Commissioner Dennert.

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

PUBLIC COMMENT:

Senator Elect, Carl Perry informed that Thursday, January 9th Brown County Republicans will have their Reagan Luncheon at noon at Pizza Ranch, and that Brown County Officials/Department Heads will be giving an update. Then he also shared that District 3 Representative, Brandei Schaeffbauer and himself would be on KDSN with Scott Sundberg for an interview at noon today.

Dirk Rogers, Highway Superintendent wanted to let the Commissioners know that there is going to be legislation to extend the RAIF Program and that Townships are wanting a half million out of our County Road & Bridge money. Dirk is going to visit with the other Highway Superintendents and try to get this stopped.

ADOPT RESOLUTION FOR LOCAL CONTROL:

Commissioner Dennert offered the following Resolution:

RESOLUTION #2025-06

Brown County Local Control Resolution

WHEREAS: Local control is a key principle of the United States of America and South Dakota.

WHEREAS: South Dakota has a long history of allowing Counties, Municipalities, and Townships to adopt local zoning ordinances that benefit local jurisdictions and the citizens.

WHEREAS: Potential legislation threatens local control over matters of planning and zoning.

WHEREAS: Such legislation limiting the ability of local government to evaluate and regulate compatible land uses would by extension interfere with the opportunity for local citizens to have a voice in local planning and zoning matters.

WHEREAS: On April 25th, 2023, Ordinance #243 was unanimously passed by the board of Brown County Commissioners.

WHEREAS: Ordinance #243 requires a 1,500-foot setback from certain pipeline facilities.

WHEREAS: Ordinance #243 was strongly supported by many of the citizens of Brown County who made their voices heard during the public hearing.

WHEREAS: The board of Brown County Commissioners continues to support Counties, Municipalities, and Townships having the authority to adopt appropriate regulations for each unique jurisdiction.

NOW THEREFORE BE IT RESOLVED by the Board of Brown County Commissioners that we oppose any legislation that limits or eliminates the local control of Counties, Municipalities, and Townships in matters of planning and zoning.

Dated at Aberdeen, South Dakota, this 7th day of January, 2025.

Seconded by Commissioner Wiese.

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

ADOPT A RESOLUTION FOR EMINENT DOMAIN:
Commissioner Dennert offered the following Resolution:

RESOLUTION #2025-07

A Resolution Urging the South Dakota Legislature to Pass Eminent Domain Reform Prohibiting the Use of Eminent Domain for Private Gain

WHEREAS, the principle of eminent domain allows government entities to acquire private property for public use, with just compensation to property owners, as authorized by the Fifth Amendment of the United States Constitution and Article VI, Section 13 of the South Dakota Constitution; and

WHEREAS, the use of eminent domain is intended to serve public purposes such as infrastructure development, schools, roads, and utilities that benefit the general public; and

WHEREAS, recent proposals in South Dakota have raised concerns regarding the use of eminent domain to transfer private property to for-profit entities or private developers for projects that primarily benefit private interests rather than the public at large; and

WHEREAS, such use of eminent domain threatens the fundamental rights of property owners, undermines public trust, and raises questions about the fairness and necessity of such actions; and

WHEREAS, the Brown County Board of Commissioners supports the protection of private property rights and opposes the abuse of eminent domain powers for private economic gain;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the Board strongly urges the South Dakota Legislature to enact reforms to the state's eminent domain laws to prohibit the use of eminent domain for private gain and to ensure that such powers are used solely for public purposes as defined by law; and

BE IT FURTHER RESOLVED that the Board encourages the Legislature to establish clear and strict criteria for the application of eminent domain, safeguarding the rights of property owners and reinforcing public accountability; and

BE IT FINALLY RESOLVED that the Brown County Board of Commissioners directs the Auditor to transmit copies of this resolution to all members of the South Dakota State Legislature, the Office of the Governor, and other relevant stakeholders.

Dated at Aberdeen, South Dakota, this 7th day of January, 2025.

Seconded by Commissioner Wiese.

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

TRANSFER OF 2002 PICK-UP:

Moved by Commissioner Wiese, seconded by Gage to approve transferring the 2002 Pick-up from Maintenance to Fairgrounds. All members present voting aye. Motion carried.

MINUTES:

Moved by Commissioner Wiese, seconded by Gage to approve the General Meeting Minutes of December 31, 2024. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Gage, seconded by Wiese to approve the following claims: Workers Compensation: SDML Worker's Compensation \$175,956.00. Professional Fees: Aberdeen Area Chamber of Commerce \$890.00; Active Data Systems \$17,570.00; Association of South Dakota County Weed & Pest Boards \$200.00; CenturyLink-Lumen \$187.42; CGI, LLC \$1,495.00; DEVNET \$3,789.84; D-Ware, Inc \$4,700.00; Helms & Associates \$135.00; IMEG Corp \$29,750.00; Richardson, Wyly, Wise, Sauck & Hieb, LLP \$468.75; Sanford Health Occupational Medicine \$474.00; Satellite Tracking of People, LLC \$848.25; Schneider Geospatial, LLC \$3,060.00; SD Assoc. of County Officials \$3,261.63; SD Dept. of Transportation \$359.38; SD Sheriff's Association \$1,649.03; SDAAO \$450.00; SDACC \$9,942.00; SDACHS \$350.00; Sewer Duck, Inc \$85.00; State Bar of South Dakota \$2,865.00; Taliaferro Law Firm, PC \$70.25; Tyler Technologies, Inc. \$1,500.00; Valstone Corporation, Inc. \$5,104.00. Publishing: McQuillen Creative Group, Inc. \$1,747.20; Midstates Group \$1,140.00. Rentals: Advantage Self Storage \$276.00; Linde Gas & Equipment Inc. \$53.60. Repairs & Maintenance: Ace Refrigeration, LLC \$767.04; Dakota Supply Group \$5,202.86; Election Systems & Software \$7,281.22; Lawson

Products, Inc \$.86; Lenslock Inc \$30,170.00; Olson's Pest Technicians \$260.00; Pantorium Cleaners Inc \$517.16; RDO Equipment Co \$3,559.08; Safety Service \$500.00; Sanitation Products, Inc. \$25.52; Transource Truck & Equipment, Inc. \$38,027.84; Woodman Refrigeration, Inc. \$244.33. Supplies: Amazon Capital Services, Inc. \$184.03; Auto Value Aberdeen \$67.69; Bimbo Foods USA, Inc \$518.30; Brian Koens \$133.06; Butler Machinery Company \$845.25; Century Business Products \$2,676.28; Christina M. Flack \$853.24; Crawford Trucks & Equipment \$484.15; Crescent Electric Supply Co \$245.24; Dakota Fluid Power, Inc \$913.17; Dakota Mailing & Shipping Equipment \$508.00; East Side Jersey Dairy Inc \$1,344.07; Interstate Battery System of South Dakota \$124.95; Lawson Products, Inc. \$12.46; Leidholt Electric, LLC \$61.22; Mack's Auto, Inc \$1,708.00; Mariann Malsom \$116.70; Menards \$321.47; Midstates Group \$50.55; Napa Central \$83.88; Pantorium Cleaners Inc. \$32.00; Performance Oil \$430.50; RDO Equipment Co \$22.85; Runnings \$199.99; Sanitation Products, Inc. \$260.84; Share Corporation \$382.80; Stan Houston Equipment Company, Inc \$150.15; Thomson Reuters-West Payment Center \$1,951.46; Transource Truck & Equipment, Inc. \$4,218.49; Tri-State Water \$35.00; US Foods \$11,619.13; WEB Water Bottling Company \$27.75. Travel & Conference: Association of South Dakota County Weed & Pest Boards \$525.00; IAFE \$940.00; SDACC \$125.00. Utilities: AT&T Mobility \$186.80; CenturyLink \$366.39; Midcontinent Communications \$327.44; Montana-Dakota Utilities Co \$49.97; Northwestern Energy \$11,777.68; Town of Frederick \$77.00. Other: Grassland Hutterian Brethren Inc. \$4,000.00; WEX Health, Inc. \$4,000.00. All members present voting aye. Motion carried.

HR REPORT:

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

- Promotion of Dorene Borchard from Brown County Chief Deputy Treasurer to Brown County Revenue Specialist, starting wage \$34.20/hour-effective January 1, 2025.
- Amendment on wages effective for December 22, 2024:
 - Jolene Forsting-submitted \$30.08/hr. and should be \$30.98/hr.
 - Adelaide Mounga-submitted \$26.62/hr. and should be \$26.72/hr.
 - Monty Forsting-submitted \$19.84/hr. and should be \$19.87/hr.
 - Gene Loeschke-submitted \$37.15/hr. and should be \$37.75/hr.
 - Ermalinda Marcuson-submitted \$29.49/hr. and should be \$30.23/hr.

All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

Moved by Commissioner Wiese, seconded by Gage 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.

LANDFILL TONNAGE REPORT:

Moved by Commissioner Wiese, seconded by Gage to acknowledge the Landfill Tonnage Report for December 2024. All members present voting aye. Motion carried.

AUDITOR REPORT OF ACCOUNTS FOR NOVEMBER & DECEMBER 2024:

Moved by Commissioner Wiese, seconded by Dinger to approve the Auditor's Report of Accounts for November 2024 as follows: Total Cash and Checks on Hand \$7,700.00; Total Checking Account Balances \$24,283,334.01; Total Savings Account Balances \$1,100,447.42; Total Certificates of Deposit \$8,398,681.71; Grand Total Cash & Balances \$33,790,163.14; General Fund Cash and Investment Balances by Funds: General Fund \$21,237,073.40; Road & Bridge Fund \$716,841.40; Road & Bridge Fund-restricted \$231,883.27; 911 Service \$94,262.03; Emergency & Disaster \$86,563.19; Domestic Abuse \$515.00; Grant \$32.11; SA Grants \$120,214.14; Truancy Court \$135.68; 24/7 Sobriety \$41,294.65; ROD M&P \$101,987.36; Rural Access Infrastructure \$551,894.22; TIF Debt Service \$58,170.08; Landfill + cash change \$6,707,971.35; Landfill – restricted \$1,894,495.06; Trust and Agency Funds \$4,073,262.53; Grand Total General Fund Cash & Investments \$33,790,163.14. All members present voting aye. Motion carried. Auditor Heupel shared that December was not finalized in time for the meeting.

TRAVEL REQUESTS:

Moved by Commissioner Wiese, seconded by Dennert to approve the following Travel Requests: Derek Hoefert, Sheriff's Office to attend Desert Snow Hands-On Criminal Interdiction Workshop in West Fargo, ND on May 20-22, 2025. All members present voting aye. Motion carried.

LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT:

Moved by Commissioner Dinger, seconded by Gage to approve and authorize Chairman Sutton to sign the 1st quarter LEMPG Grant Report. All members present voting aye. Motion carried.

SURPLUS LAW BOOKS:

Moved by Commissioner Wiese, seconded by Gage to surplus the Law Books from the Court Room. All members present voting aye. Motion carried.

OTHER BUSINESS:

District 3 Representative, Brandie Schaeffbauer thanked the Commissioners for standing up for Citizens of Brown County and appreciate the Resolutions that Commissioner Dennert brought, and their legislators will do the best they can to uphold them. Commissioner Dennert thanked the Legislators that were in the room for all that they have done and for supporting the Commissioners as well.

EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Dennert to go into executive session to discuss Personnel 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 Wiese, seconded by Dennert to adjourn the Brown County Commission at 9:52 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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