

SEPTEMBER 30, 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 Gage led the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

PUBLIC COMMENT: None

AMEND AGENDA FROM SEPTEMBER 23, 2025:

There was a typo on the September 23rd agenda. Under the Consent Calendar it should have been September 16th minutes, which is what was in the packet not September 2nd. Moved by Commissioner Dinger to amend the agenda from September 23rd to show the correct date for the minutes of September 16th. Seconded by Gage. All members present voting aye. Motion carried.

ORDINANCE #310 – SECOND READING/POSSIBLE ADOPTION:

Moved by Commissioner Gage, seconded by Dennert to adopt Ordinance #310. Applicant Paul Larson 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: Proposed Lot 1, “Paul Larson First Addition” in the E1/2 of the SE1/4 of Section 6-T122N-R63W of the 5th P.M., Brown County, South Dakota (13653 389th Avenue; Warner Twp.). All members present voting aye. Motion carried.

APPOINT BOARD MEMBER FOR CLAREMONT FIRE DISTRICT:

Claremont Area Fire District had a vacancy come up on their Board of Directors. Under SDCL 34-31A-15.1 the Board of County Commissioners are entrusted with filling the vacancy on a Rural Fire Protection District. William Colby Crawford was recommended by the Claremont Area Fire Board of Directors. Moved by Commissioner Dinger, seconded by Dennert to approve appointing William Colby Crawford to the Claremont Area Fire Protection District Board of Directors. All members present voting aye. Motion carried. Marshall County Commissioners will also need to approve of the appointment.

ADOPT RESOLUTION #2025-48 FOR FY2026 BUDGET:

Commissioner Gage offered the following Resolution:

ANNUAL BUDGET FOR BROWN COUNTY, SD
For the Year January 1, 2026 to December 31, 2025

RESOLUTION #2025-48
ADOPTION OF ANNUAL BUDGET FOR BROWN COUNTY, SOUTH DAKOTA

WHEREAS, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

WHEREAS, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

WHEREAS, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget, and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, that such Provisional Budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth. SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET ON THE APPROPRIATION AND EXPENDITURES FOR BROWN COUNTY, SOUTH DAKOTA and all its institutions and agencies for calendar year beginning January 1, 2026

and ending December 31, 2026 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota this 30th day of September.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, Brown County, South Dakota. The accompanying taxes are levied by Brown County for the year January 1, 2026 through December 31, 2026.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$18,835,723.00	3.385
* County Road & Bridge (10-12-13)	\$ 2,171,370.00	0.390
 TOTAL TAXES LEVIED BY COUNTY	 \$21,007,093.00	 3.775

*These amounts include the 25% to be distributed to cities.

Seconded by Commissioner Dennert.

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

HIGHWAY 5-YEAR PLAN:

Time and place, as advertised to discuss and receive public comment on the 5-year County Highway and Bridge Improvement Plan. Dirk Rogers, Highway Superintendent, presented his 5-year plan to the Commission outlining plans for 2026-2030. Moved by Commissioner Dinger, seconded by Gage to acknowledge and approve the 5-year County Highway and Bridge Improvement Plan. All members voting aye. Motion carried.

Scott Solberg asked about the Richmond Dam project. Dirk informed him that the Dam and Spillway are all encompassed in the whole project. Chairman Sutton shared that at the meeting they said the Dam in 2026 and the Spillway in 2027.

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent, informed the Commission they are still paving on 27 then will go to Bridge 21 then will do the North Parking Lot across from the Courthouse. They still have some patching and mowing to do. Dirk shared that the James River 40' below crest and Crow Creek is 38', slowly going down but there is a lot of water moving through at this time. Dirk notified the Commission that there will be a bill coming through for \$26,400 to Ducks Unlimited because of the Sand Lake Bridge project we needed to purchase 1.1 acres of Wetland credits. Dirk explained the background on the Wetland process and stated that you are still able to mitigate, which is a little cheaper but takes between 6-7 years. Commissioner Gage asked if this was something new with the purchasing of wetlands and due to a new project? Dirk explained there is a lot that goes into this scenario, but he believes there is a wetland bank to be able to purchase what is needed. Commissioner Gage asked if the bridge is that much bigger that we need the 1.1 acres and Dirk explained it is due to having to go down and dig out the footings for the Bridge, which affect the wetlands.

Commissioner Gage asked if they were done striping because at the 14 / 12 Junction by RDO it has worn off so wondering if they could update that. Dirk said he would contact State D.O.T. to see if they would take care of it.

MINUTES:

Moved by Commissioner Dinger, seconded by Gage to approve the General Meeting Minutes of September 23, 2025. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Dennert, seconded by Dinger to approve the following claims: Professional Fees: Aberdeen Advanced Care Ambulance \$996.66; Aberdeen Fire Rescue \$298.00; Avera Medical Group Radiology \$300.06; Avera St Luke's \$398.78; Avera St. Luke's Hospital \$397.36; Brick's TV and Appliance \$1,987.50; Carrels & Bain Family Dental Care, LLC \$1,632.68; CenturyLink-Lumen \$208.98; Christy Griffin-Serr Law Office \$5,250.00; City of Redfield \$147.77; Cogley Law Office, Prof LLC \$3,948.00; Dependable Sanitation, Inc \$48,288.00; Dohrer Law Office, PC \$468.00; Modern Day Health Care Prof LLC \$900.17; Saber Shred Solutions \$2,747.76; Sanford Clinic \$1,415.67; Sara Zahn \$34.00; Taliaferro Law Firm, PC \$8,336.50. Publishing: McQuillen Creative Group, Inc \$163.54. Repairs & Maintenance: Gary's Auto Body & Accessories \$960.98; Huff Construction Inc \$5,000.00; Ken's Alignment \$170.00; Leidholt Electric, LLC \$99.42; SD Dept of Public

Safety \$2,340.00. Supplies: Amazon Capital Services, Inc \$284.95; American AED \$1,261.00; Dakota Supply Group \$4.94; Geffdog Designs \$60.00; Hillyard Sioux Falls \$61.79; House of Glass \$120.05; Howmedica Osteonics Corp \$97.25; Menards \$156.65; Midstates Group \$334.94; Quality Welding, Inc \$145.60; Sanders's Sew-N-Vac \$179.47. Travel & Conference: Duane Sutton \$521.90; Holiday Inn City Centre Sioux Falls \$2,780.00; Kent Karlen \$14.00; Linda Marcuson \$14.00; Neil Bittner \$14.00; Pennington County Jail \$153.65; Safety Benefits Inc \$75.00. Utilities: Northwestern Energy \$12,614.22; T-Mobile USA Inc \$1,234.65. Other: Transource Truck & Equipment, Inc \$883,450.00. All members present voting aye. Motion carried.

HR REPORT:

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

- Resignation of Milton Gonzales Sambolin as Brown County Jail Detention Officer: FT – effective October 14, 2025. Request to fill.
- Hiring of Jason Kumpf as Brown County Fair & Park Maintenance Technician: FT – starting wage \$23.04/hr. – effective October 9, 2025.

All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

Moved by Commissioner Dinger, 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.

TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Dennert to approve the following Travel Requests: Pat Wolberg, IT Director to attend SD Secure DSU Incident Response Plan Workshop on Sept. 29 – Oct. 1, 2025 in Rapid City; Lynn Heupel, Auditor to attend Election Committee meeting with Municipalities & Schools on October 9, 2025 in Pierre; C. Scott Bader, Planning & Zoning Director to attend FEMA Managing Floodplain Development CEU on October 20-24, 2025 in Sioux Falls; Russell Metz, Equalization Deputy Director to attend SDAAO Education & Executive Board meeting on October 22, 2025 in Pierre; Randy Zens, Assistant Building Superintendent to attend 2025 Safety & Loss Control Conference on November 12-13, 2025 in Pierre. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Commission Dennert, seconded by Dinger to approve and authorize Chairman Sutton to sign the following lease agreement: Steve Streier to lease the Club House from October 11-14, 2025 for a Wedding. All members present voting aye. Motion carried.

ZONING ORDINANCES – SET HEARING DATE/AUTHORIZE ADVERTISING:

- Moved by Commissioner Gage, seconded by Dinger to set hearing date and authorize publication for the first reading of the Revised Ordinance #302 – Wind Energy Systems to be held on the 21st day of October 2025 in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. An ordinance amendment to Wind Energy Systems (WES) to the Brown County Title 4 Zoning Ordinances by replacing: Chapter 4.36, Wind Energy System (WES) with the proposed changes: All Adopted by Ordinances #302, as amended in Title 4 Zoning Ordinance of Brown County South Dakota. The proposed ordinance will be made available for public inspection at the Brown County Auditor's Office or Brown County Planning and Zoning Office during regular business hours. All members present voting aye. Motion carried.
- Moved by Commissioner Dinger, seconded by Gage to set hearing date and authorize publication for the first reading of the Revised Ordinance #303 – Data Centers to be held on the 21st day of October 2025 in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. To consider a new ordinance, Data Center being added to the Brown County Title 4 Zoning Ordinances of Brown County, Chapter 4.01 – Definitions; Chapter 4.16 – H-I District; An Addition to Title 4 Zoning Ordinances of Brown County with Chapter 4.38 – Data Centers; All Adopted by Ordinances #303, as amended in Title 4 Zoning Ordinance of Brown County South Dakota. The proposed ordinance will be made available for public inspection at the Brown County Auditor's Office or Brown County Planning and Zoning Office during regular business hours. All members present voting aye. Motion carried.

OTHER BUSINESS: None

EXECUTIVE SESSION:

Moved by Commissioner Gage, seconded by Dennert to go into Executive Session for 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 Dinger, seconded by Dennert to adjourn the Brown County Commission at 10:24 a.m.

All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

Published October 8-9, 2025 at the total approximate cost of \$ _____ and may be viewed free of charge at www.sdpublicnotices.com.