

AUGUST 25, 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.

MOMENT OF SILENCE:

Chairman Sutton asked for a moment of silence in remembrance of Mary Jane Jark, served on the Fair Board and was long-time election worker and for Emerson Shaunaman, the son of Mayor Schaunaman.

APPROVAL OF AGENDA:

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

RECOGNIZE SDSU 4-H VOLUNTEER AWARD RECEIPTIEN'T'S FROM BROWN COUNTY:

Becca Tullar, Brown County 4-H Advisor shared with the Commission that she applications for a couple of Brown County 4-H Leader's; Sadie Frey, Emerging 3-year 4-H Volunteer Award and Lynn Heupel, 15-year, Outstanding 4-H Volunteer Award. They will be receiving their awards on September 6th at the SD State Fair. Mike Frey and Kristie Erickson from Brown County were receipts of awards last year. Becca stated that Brown County has some outstanding volunteers.

PUBLIC COMMENT:

Clark Thares informed the Commission that with all the talk of Data Centers, he took a look at the County's Ordinance and wanted to offer some recommendations for them to consider. In Section 4.3804 Clark recommends that no Data Center should be connected to the grid due to if companies are swayed to allow direct access the legacy customers would not be protected. In Section 4.3805, suggested limiting the low frequencies as well which create pure tones; feels it should state will require independent verification studies of noise, vibration and frequencies measurements; these studies would be paid for by the applicant. Some other recommendations were no abatement of property taxes or TIF Money because these are generally billion-dollar projects that are funded by extremely wealthy investors, he feels they can pay their fair share. Clark shared that he has researched about EMF Radiation Levels being a problem with these data centers, which can affect livestock and humans up to 2 miles away, he would ask that a study be done on this aspect as well. Water usage is another concern; he feels they should not receive any priority of water over the average homeowners and not receive a reduced pricing either because they could be made to use a type of cooling system that requires little water usage. Clark also recommends limiting the campus between a 1 to 5 being the max of Megawatt campus; 5 Megawatts is equal to usage of 5,000 households. He also would like to have stipulation that no foreign ownership to eliminate potential sales/property tax avoidance. The last issue that Clark wanted to make the Commission aware of is affordable housing, this wouldn't be a part of the Ordinance but possibly a feasibility study on housing. Section 8 Landlords are not renewing their contracts because they are seeing the rents they charge to the temporary data center workers is far above what the average person can afford, especially those on lower income. Seniors are being forced to move out of Aberdeen, due to this issue. His concern is for the long-term viability of affordable housing for the City and County.

Commissioner Sutton shared that Clark had e-mailed his information to him prior to the meeting, which he in turn shared with the other Commissioners and Planning & Zoning for them to review and consider.

RICHMOND DAM UPDATE:

Chairman Sutton shared the following information he was provided by Scott Meints, Emergency Manager: There has been approximately 450' of sheet piling driven into the upstream cofferdam with roughly 75' remaining; Foothills removed the bridge and the upper part of the spillway; Foothills Contracting will start sloping the spillway earth material back in preparation of constructing the new spillway; Foothills Contracting will install a 24" high-density polyethylene pipe to help permanently

drain the stilling basin of the new spillway. This pipe will drain into a catch basin and flow down Foot Creek; Bauer Foundations continue to work on the seepage cutoff wall. Bauer is anticipating having that work completed around 09/10/26 and Bauer continues to work 24 hours a day, 6 days a week. This work schedule will remain until the seepage cutoff wall is complete.

PRELIMINARY 2026 FAIR REPORT:

Rachel Kipply, Fair/Fairgrounds/Parks Manager along with McKenzie Bierman Assistant Fair/Fairgrounds/Parks Manager met with the Commission to give them a preliminary report of the 2026 Brown County Fair. They shared that they have 22 active Fair Board members with 3 that will be completing their 6 years, who are Nancy Radke, Dwight Guthmiller and Jeff Kippely). They had a total of 541 Friends of the Fair slots to fill; they filled 431 of those for this fair and the slack is either covered by a Fair Board Member or the item isn't done such as the kiddie train. There are 1002 Total Campsites with 746 on the waiting list: Revenue as of today was \$154,830 and this was the last year for those that prepaid in 2023 for Electrical Sites. Thus far \$3,300 has been brought in by charging those that bring their campers in early. The number of tickets sold for 2026 is up from 2025 see table below:

Performance	2025 Tickets Sold	2025 Total Sales	2026 Tickets Sold	2026 Total Sales
Carnival Passes	4195 @ \$70.00/ea.	\$226,690.00	4283 @ \$90.00/ea.	\$257,855.00
PRCA – Monday	3731	\$63,230.00	3501	\$59,125.00
PRCA – Tuesday	3906	\$68,845.00	3980	\$70,315.00
Wednesday Concert	4997	\$160,465.00	5061	\$188,479.17
Thursday Concert	4783	\$152,700.00	5726	\$227,460.81
Friday Concert	5290	\$216,230.00	5168	\$225,462.50
Saturday Concert	6826	\$266,310.00	7789	\$345,724.52
Sunday Event	1213	\$27,207.50	3936	\$2,625.00
GRAND TOTALS	35091	\$1,181,677.50	39444	\$1,377,047.00

For the Vendor Booths, all were filled except for 1 in the Expo and 2 in the Odde. The Concession spaces were completed totally booked. Total Revenue from the Vendor Booths is \$125,100.00.

WAIVE FEES FOR ANNUAL FALL RESIDENTIAL CLEANUP:

Mike Scott, Landfill Manager asked the Commission to approve waiving the fees for the Annual Fall Residential Clean-up that will be held September 18th – 26th, 2026. It is only going to be 1 week but includes 2 weekends due to staffing issues. Moved by Commissioner Dinger, seconded by Wiese to approve waiving the fees at the Landfill for the Annual Fall Residential Clean-up from September 18th-26th, 2026. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Commissioner Wiese, seconded by Gage to approve the following application submitted by Northern Electric for occupancy of Brown County Highway 6 in Section 2, Township 124N, Range 65, Brown County, South Dakota for the purpose of installing primary electrical and boring under the road on both sides. All members present voting aye. Motion carried.

SURPLUS FOR HIGHWAY & EQUALIZATION DEPARTMENTS:

Moved by Commissioner Wiese, seconded by Dennert to approve the Highway Department Surplus list of equipment such as Belly Dumps, End Dump Boxes, Excavator, etc. along with the 2015 Chevy Traverse from the Department of Equalization. Everything will be listed on Purple Wave except for the 2015 Chevy Traverse, and 2 End Dump Box will be sold on Public Surplus. All members present voting aye. Motion carried.

BID DATE SET FOR HIGHWAY DEPT.: BRIDGE 350 & CULVERT APPROACH:

Moved by Commissioner Wiese, seconded by Gage to authorize advertising public hearings to open, read and consider bids for Bridge 350 and Erickson Approach to be held on Tuesday, September 8, 2026 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent informed the Commissioner's that the Cold-In Place Project started, and they got 2.3 miles done yesterday. They are paving on 14 south of the Airport. The Sand Lake Bridge project is moving along. They are continuing to work on patching, blading, mowing, etc. Dirk asked Commission to postpone the Women's Building discussion because he has an Asbestos Inspector next week which will cost \$900.00 and he highly recommends not using the building because of safety concerns. Dirk has a few ideas about the building so wants some time to figure them out, one possibility being repurposing the wood that is good to build a Cold Storage Building at the Highway Shop.

2027 LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (LEMPG) AGREEMENT:

Moved by Commissioner Dennert, seconded by Wiese to approve and authorize Chairman Sutton to sign the 2027 LEMPG Agreement. All members present voting aye. Motion carried.

LETTER OF SUPPORT FOR F35 OF SOUTH DAKOTA:

Commissioner Wiese requested this because while attending a conference in Sioux Falls there was a presentation by Major General Mark Morell, with SD National Guard and Bill Even, Commissioner of Economic Development with SD Governor's Office. Discussed Economic Development and Public Safety including National Defense. Reminder was that the new B21 Stealth Bomber is scheduled to be deployed to Ellsworth Air Force Base next year and a request for letters of support for consideration of deployment of the newer F35 be deployed to Sioux Falls. Commissioner Wiese asked Auditor Heupel to draft a letter of support for this project as it would be good for the State of South Dakota. Moved by Commissioner Dinger, seconded by Wiese to approve the letter of support for the F35 to be stationed in Sioux Falls and all Commissioners are to sign the letter to show support of the F35 for South Dakota Project. All members present voting aye. Motion carried.

PURCHASE 105 1ST AVE SW BUILDING:

Moved by Commissioner Wiese, seconded by Dennert to approve purchasing the building located at 105 1st Ave. SW, Aberdeen and authorizing Chairman Sutton to sign the purchase agreement at closing. All members present voting aye. Motion carried.

AMEND RESOLUTION #2026-34 AND CORRECT GENERAL MEETING MINUTES OF 8-11-26:

Auditor Heupel explained that there was a spelling error on the legal document from the attorney's office, so needed to correct the Resolution and the Minutes from August 11th. Moved by Commissioner Dinger, seconded by Wiese to approve the amendment of Resolution #2026-34 and the correction of the Minutes for August 11th. All members present voting aye. Motion carried.

MINUTES:

Moved by Commissioner Gage, seconded by Dinger to approve the General Meeting Minutes of August 18, 2026. All members present voting aye. Motion carried.

CLAIMS/PAYROLL:

Moved by Commissioner Dennert, seconded by Wiese to approve the following claims/payroll. Claims: Professional Fees: Beth Wolff \$50.00; CenturyLink-Lumen \$276.14; Credit Collections Bureau \$269.95; Dingman Inc. \$6,022.50; Dohrer Law Office, PC \$475.80; Kristi Brandt \$95.65; Kuck Law Office \$1,125.30; Kylee Boomsma \$378.20; Lenling Law Office, Prof. LLC \$4,237.50; Marco Technologies, LLC \$104.50; Modern Day Health Care Prof LLC \$4,725.00; TMS Production Integration \$450.00; US Bank \$638.58. Publishing: Groton Daily Independent \$169.40; McQuillen Creative Group, Inc \$284.85; Midstates Group \$4,072.00. Rentals: Advantage Self Storage \$276.00. Repairs & Maintenance: Dependable Sanitation, Inc \$387.00; IMEG Corp \$34,163.50; Jake's Heating & Cooling \$115.00; Leidholt Electric, LLC \$556.49; Loiseau Construction, Inc \$40,000.00; Pomp's Tire Service, Inc \$45.00; Safety Service, Inc \$22.25; Steven Lust Automotive \$2,399.53; US Bank \$248.44. Supplies & Materials: Advance Auto Parts \$63.94; Amazon Capital Services, Inc \$481.50; Century Business Products \$103.04; Coca-Cola Bottling Company High Country \$2,081.00; Cole Paper Inc \$1,634.44; Dakota Supply Group \$34,278.97; Doll Distributing LLC \$641.20; GovConnection, Inc \$521.16; Hitch 'n' Post \$149.99; House of Glass \$1,253.02; Kuck Law Office \$24.08; Leidholdt Tool Sales, LLC \$159.40; Lien Transportation Company \$136,719.00; Marco Technologies, LLC \$33.51; Menards \$586.85; Performance Oil \$43.95; Pomp's Tire Service, Inc \$33.28; Porter Distributing \$700.70; Safety Service, Inc \$209.44; Sprocket Ventures, LLC \$120.13; Steven Lust Automotive \$425.30; Titan Machinery \$993.38; US Bank \$8,934.08. Travel & Conference: Beth Wolff \$84.39; Lenling Law Office, Prof. LLC \$280.00; Lynn Heupel \$295.58; Michael Wiese \$326.30; Neil Bittner \$19.00; Scott Kolb \$19.00; US Bank \$2,976.75. Utilities: CenturyLink \$496.08; City of Aberdeen Treasurer \$464.43; City of Hecla \$168.06; Dependable Sanitation, Inc \$322.00; Northwestern Energy \$1,246.68; T-Mobile USA Inc \$1,916.25; US Bank \$7,956.41. Payroll: Commission \$5,165.81; Elections \$3,631.16; Auditor \$9,552.49; Treasurer \$19,972.50; SA \$38,056.76; Public Defender \$14,449.33; Maintenance \$12,360.47; Assessor \$17,543.75; Register of Deeds \$12,865.55; VSO \$5,252.44; GIS \$3,110.76; IT \$10,766.94; HR \$5,721.14; Sheriff \$85,323.46; Jail \$71,230.52; Coroner (Voucher) \$1,500.00; Court Security \$7,086.04; JDC \$31,282.18; Support of Poor \$1,124.71; Museum \$14,535.10; Parks/Fairgrounds \$17,706.71; Fair Board \$14,825.62; 4-H \$5,025.01; Weed \$7,614.95; Planning & Zoning \$8,510.51; Highway \$57,352.43; Dispatch \$38,691.28; Emergency \$5,674.49; 24/7 Sobriety \$2,929.72; Landfill \$16,183.62; Meal Benefits \$95.00; Tips \$9,744.00; FICA \$32,989.85; Medicare \$7,715.42; HSA \$2,463.36; Health Insurance-Wellmark BCBS \$154,104.40; Dental Insurance-Delta Dental \$10,045.50; Life Insurance-Dearborn \$1,141.04; Retirement-SDRS \$65,815.86. All members present voting aye. Motion carried.

HR REPORT:

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

- Employment ending for Jared Bourdon, Brown County Landfill Heavy Equipment Operator, FT; effective August 14, 2026. Request to fill.
- Employment ending for Steven Westby, Brown County Jail Transport and Court Security, PT; effective August 18, 2026. Request to fill.
- Resignation of Cully Conn as Brown County Jail Cook, FT; effective September 4, 2026. Request to fill.

All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Wiese, seconded by Dennert to approve the following Travel Requests: Mike Scott & Rob Baumgartner, Landfill to attend the SDSWMA Annual Conference; Brian Koens, Coroner to attend Forensic Science Seminar. All members present voting aye. Motion carried.

ZONING ORDINANCES-SET HEARING DATE/AUTHORIZE ADVERTISING:

Moved by Commissioner Wiese, seconded by Dinger to set hearing date and authorize publication for the first reading of the following ordinances to be held on Tuesday, September 22, 2026 in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. Proposed Ordinance #334, applicant County Line Developers, LLC for the purpose of rezoning from Residential District (R-1) to Highway Commercial District (HC) to bring this parcel into compliance for its future use. Description of property: Lot 2 “Ronnie’s Way Addition” in the NW ¼ of Section 17-T123N-R63W of the 5th P.M., Brown County, South Dakota (2620 8th Ave. NE; Aberdeen Twp.). Proposed Ordinance #335, to consider amending portions of Title 4: Chapter 4.01 – Definitions; Chapter 4.06 – Agriculture Preservation District (AG-P) and Chapter 4.22 – Administrative Procedure and Enforcement-Permits (full ordinance on file at the Auditor’s Office). Proposed Ordinance #336, to consider amendments to Brown County Ordinances in portions of Brown County Comprehensive Plan 2020-2040. Chapter 2 – Land Use which in turn changes the page numbers in the Table of Contents and Appendix A (full ordinance on file in the Auditor’s Office). All members present voting aye. Motion carried.

BEN & ALYSSA GUSTAFSON FIRST ADDITION PLAT:

RESOLUTION #2026-35

Commissioner Dinger brought the following Resolution “Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing “BEN AND ALYSSA GUSTAFSON FIRST ADDITION” in the NE ¼ NE ¼ of Section 14-T125N-R60W of the 5th P.M., Brown County, South Dakota having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.” Seconded by Wiese. All members present voting aye. Resolution adopted.

LOCKEN ESTATE ADDITION PLAT:

RESOLUTION #2026-36

Commissioner Wiese brought the following Resolution “Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing “LOCKEN ESTATE ADDITION” in the S ½ of Section 5, Township 122 North, Range 62 West of the 5th P.M., Brown County, South Dakota having been examined is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3-8, and any amendments thereof.” Seconded by Dennert. All members present voting aye. Resolution adopted.

OTHER BUSINESS: None

EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Dennert to go into Executive Session per SDCL 1-25-2 for Personnel. All member present voting aye. Motion carried.

Chairman Sutton declared the Executive Session closed with No Action taken.

ADJOURNMENT:

Moved by Commissioner Wiese, seconded by Dennert to adjourn the Brown County Commission at 10:14 A.M. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

Published September 2-3, 2026 at the total approximate cost of \$_____ and may be viewed free of charge at www.sdpublicnotices.com.