

SEPTEMBER 8, 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 Dinger, Gage, Sutton and Wiese. Commissioner Dennert was absent. Commissioner Gage led the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

PUBLIC COMMENT:

Tom Leidholt met with the Commission wondering if Title 8 – Animal Control includes Livestock or if it is strictly for pets because he was fined by the Brown County State’s Attorney under 8.001 because his cattle got out. Scott Bader, Planning & Zoning Director, will check into this.

BID OPENING – ERICKSON APPROACH:

Time and place, as advertised to open, read and consider the bids for Erickson Approach for the Brown County Highway Department. Bids received were as follows: Level Contracting, LLC from Lake Norden, SD for \$168,921.42; BX Civil Construction from Dell Rapids, SD for \$197,734.29; Basin Construction from Hayti, SD for \$162,079.89. Dirk Rogers, Highway Superintendent, recommended accepting the bid from Basin Construction. Moved by Commissioner Dinger, seconded by Wiese to accept the bid from Basin Construction in the amount of \$162,079.89. All members present voting aye. Motion carried.

BID OPENING – REPLACEMENT OF BR 350:

Time and place, as advertised to open, read and consider the bids for Abutment Replacement of Bridge 350 for Brown County Highway Department. Bids were received from the following: Prahm Construction from Slayton, MN for \$258,101.50; General Excavating from Lincoln, NE for \$371,188.23 and Industrial Builders from Fargo, ND for \$243,692.00. Dirk Rogers, Highway Superintendent asked to defer the decision to review the bids. Moved by Commissioner Wiese, seconded by Gage to defer the decision so Mike Gutankauf with IMEG could review the bids and check the numbers. All members present voting aye. Motion carried.

DISCUSS WOMEN’S BUILDING AT THE FAIRGROUNDS:

David Ochs and Dennis Jones met the Commission to further discuss the Women’s Building at the Fairgrounds. David Ochs just had one question; he wanted to know who did the asbestos inspection and what company they were with. Dirk Rogers, Highway Superintendent, shared that it was Jim Hehn out of Huron but couldn’t remember the company name but he was off the list provided by the State and it would be done on Friday.

Dennis Jones informed the Commission that he has heard from 4-H Families that the new 4-H Building should be on the west side of the Fairgrounds so after washing their animals and need to shower or clean up this building would be closer. Dennis also commented that the Government should not be competing with private enterprise and a line needs to be drawn in the sand; with hosting weddings and receptions the County is competing against churches and other convention centers in town. He feels the Women’s Building needs to be preserved, it has history and needs to make history, so he asked the Commission to make an agreement to keep this building and build the new one elsewhere. David Ochs added that the Sertoma Club and City of Aberdeen want to move it to Wylie.

Chairman Sutton shared that the Commission plans to move forward and declare this building surplus today, a new 4-H Building is necessary, and they determined the location needs to be where the Women’s Building is. Rachel Kippley shared that there were a couple of city representatives checking out the building. Commissioner Wiese added that the building is not on the historical registry list, there is limited space at the Fairgrounds, and it has no historical significance. He asked Dennis to provide him with a list of names of those that want to preserve it. Wiese stated that the building wouldn’t survive a

move. Chairman Sutton also added that the 4-H Leader's Association has agreed to donate \$100,000.00 to the new building and nothing was spoken of then about a different location. The County is aware of the requirements by DANR and that the County has looked into the historical aspect as well and the building is not eligible for the Historical Registry because it has been modified and they had a structural fire. Dennis Jones replied that the County is not doing their due diligence and will seek to file for an injunction. Dave Ochs then asked what the timeframe would be, Chairman Sutton replied by the end of October is his estimate but will depend on the Highway Departments schedule.

DECLARE WOMEN'S/HOME ARTS/COMPETITIVE EXHIBIT BUILDING SURPLUS:

Moved by Commissioner Dinger, seconded by Gage to determine the Women's/Home Arts/Competitive Exhibit Building Surplus. Chairman Sutton explained first step is to declare the building surplus so we can continue to move forward with our plans. All members present voting aye. Motion carried.

AWARD BID FOR BR 350:

Dirk Rogers, Highway Superintendent recommended awarding the for the Abutment Replacement of Bridge 350 to Industrial Builders for \$243,692.00. They are comfortable with this for 2 reasons: there was no supply procurement and the time of the year. Commissioner Wiese asked if this will be completed by end of year and Dirk said yes. Moved by Commissioner Wiese, seconded by Gage to accept the bid from Industrial Builders at the cost of \$243,692.00 for the abutment replacement of Bridge 350. All members present voting aye. Motion carried.

RICHMOND DAM UPDATE:

Chairman Sutton shared the following update he received from Scott Meints, Emergency Management Director. SFC is done driving sheet piling on the upstream cofferdam, there has been 527' of sheet piling driven in the upstream cofferdam. SFC will be driving a secondary row of sheet pilings to assist in the construction of the North approach wall. This work will begin in two- three weeks. SFC will construct the test step chute pour. This is done to ensure the actual construction of the spillway goes smoothly, and everyone involved knows what is expected of them. Foothills Contracting is in the process of building a downstream coffer dam and will start de-watering the stilling basin area. Foothills Contracting will be removing the remainder of the spillway after the seepage cutoff wall has been completed and obtains strength. Bauer Foundations continues working on the seepage cutoff wall. Bauer is anticipating having that work completed around 09/12/26. Bauer continues to work 24/6. This work schedule will remain until the seepage cutoff wall is complete. The Journey Group, their environmental consultant, and SD DANR have been continuously monitoring the area of the tanker fire/diesel spill. Soil samples are still being taken. Any contaminants still found will be removed and hauled to an approved site for disposal.

2027 BUDGET HEARING:

Time and place, as advertised for public hearing on the 2027 Provisional Budget was held. Patricia Kendall, Museum Director met with the Commission to request moving a Part-time employee to Full-time, which would be an addition of \$43,000.00. No decision was made at this time. Final Budget 2027 Approval will be held on Tuesday, September 29th.

2028 SIGNING & DELINEATION PROJECT AGREEMENT WITH S.D. D.O.T.:

Moved by Commissioner Dinger, seconded by Wiese to approve and authorize Chairman Sutton to sign the 2028 Signing & Delineation Project Agreement with S.D. D.O.T. All members present voting aye. Motion carried.

DRAWDOWN REQUEST #1 FOR SW MANAGEMENT PROGRAM GRANT FOR CELL #5:

Moved by Commissioner Gage, seconded by Wiese to approve and authorize Chairman Sutton to sign the Drawdown Request #1 for the SW Management Program Grant for Cell #5. All members present voting aye. Motion carried.

LEASE AGREEMENT FOR ELM LAKE SW CONTAINER SITE:

Moved by Commissioner Dinger, seconded by Wiese to approve and authorize Chairman Sutton to sign the lease agreement for the Elm Lake SW Container Site with Hart Angus Farms. All members present voting aye. Motion carried.

AGREEMENTS WITH DAKOTA COUNSELING GROUP:

Moved by Commissioner Gage, seconded by Dinger to approve and authorize Chairman Sutton to sign the agreements with Dakota Group Counseling for conducting QMHP's and working with the Mental Illness Board. All members present voting aye. Motion carried.

REAL ESTATE PURCHASE AGREEMENT (105 1st Ave SW, Aberdeen):

Moved by Commissioner Wiese, seconded by Dinger to approve and authorize Chairman Sutton to sign the purchase agreement for purchasing the building at 105 1st Ave. SW for \$1.8 Million for future use of a Jail. All members present voting aye. Motion carried.

POST-CLOSING OCCUPANCY AGREEMENT (105 1st Ave SW, Aberdeen):

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the Post-Closing Occupancy Agreement for the building at 105 1st Ave. SW. All members present voting aye. Motion carried.

REAL ESTATE LEASE (115 1st Ave SW, Aberdeen):

Moved by Commissioner Dinger, seconded by Wiese to approve and authorize Chairman Sutton to sign the lease agreement with ZuntaFi Corp. for \$9,000.00/month for 5-years with option to extend for another 5-year renewal with increases annually at 3%. All members present voting aye. Motion carried.

Chairman Sutton shared that they are expanding the Brown County Jail and ZuntaFi approached the County about purchasing their building and then leasing them the other building we already had purchased. With the 10-year lease agreement it will pay for the building.

MINUTES: Commissioner Dinger asked to hold off on approving the minutes until after Executive Session.

CLAIMS:

Moved by Commissioner Dinger, seconded by Wiese to approve the following claims: Professional Fees: Best Western Ramkota Hotel-Aberdeen \$14,629.43; CenturyLink-Lumen \$276.14; Fox Law Firm, PLLC \$192.00; IMEG Corp \$23,000.00; Lammers, Kleibacker, Dawson & Miller, LLP \$1,720.20; Mark Katterhagen \$20.00; Minnehaha County Auditor \$409.41; Network Center, Inc \$3,844.90; Sanford Health Occupational Medicine \$1,604.00; Schneider Geospatial, LLC \$3,237.60; Taliaferro Law Firm, PC \$152.50; Valerie Larson \$20.00. Publishing: Hub City Radio \$350.00; McQuillen Creative Group, Inc \$986.43. Rentals: Linde Gas & Equipment Inc \$66.11. Repairs & Maintenance: Ace Refrigeration, LLC \$137.70; Big Scoop Snow Removal \$120.00; Butler Machinery Company \$6,261.02; Crawford Trucks & Equipment \$2,139.00; Dakota Fluid Power, Inc \$1,144.76; Diesel Machinery, Inc \$2,883.43; EcoLab Pest Elimination Division \$100.00; Graham Tire Inc \$33.60; Hoven Auto Repair, Inc \$1,314.96; Know Ink, LLC \$4,500.00; Leidholt Electric, LLC \$36.71; Olson's Pest Technicians \$260.00; Prahm Construction, Inc \$412,400.73; RDO Equipment Co \$2,591.52; Safety Service, Inc \$261.55; Titan Machinery \$421.02; Transource Truck & Equipment, Inc \$3,079.55; Valvoline Inc. \$98.98; Wright & Sudlow \$11,960.00. Supplies & Materials: Agtegra Cooperative \$67,922.13; Amazon Capital Services, Inc \$419.84; Auto Value Aberdeen \$1,292.91; Avera LTC Pharmacy Aberdeen \$93.66; Butler Machinery Company \$6,544.36; Cartney Bearing \$296.44; Central Network Retail Group LLC \$226.42; Century Business Products \$346.21; Children's Miracle Network \$1,900.00; Cole Paper Inc \$937.36; Crawford Trucks & Equipment \$1,213.00; Dakota Fluid Power, Inc \$362.07;

DETCO \$1,686.50; East Side Jersey Dairy Inc \$1,677.87; Fastenal Company \$634.83; Fox Law Firm, PLLC \$3.61; Full Circle Ag \$1,509.09; Graham Tire Inc \$1.14; Hoven Auto Repair, Inc \$112.00; Hub City Equipment \$225.62; Interstate Battery System of South Dakota \$98.72; Ken's SuperFair Foods \$23.07; LabSource, Inc \$495.37; Lammers, Kleibacker, Dawson & Miller, LLP \$75.00; Leidholdt Tool Sales, LLC \$62.73; Lewis Family Drug LLC \$220.90; Lien Transportation Company \$16,608.60; Menards \$259.89; Midwest Pump & Tank \$56.00; Pantorium Cleaners Inc \$60.00; Premier Biotech Labs, Inc \$624.54; RDO Equipment Co \$1,778.70; Runnings \$457.67; Share Corporation \$559.20; Sprocket Ventures, LLC \$179.50; Transource Truck & Equipment, Inc \$1,747.38; Tri-State Water \$35.00; US Foods \$12,571.50; Valvoline Inc \$259.12. Travel & Conference: Austin Ball \$28.00; Becca Tullar \$397.00; Chris Anderson \$446.80; Lammers, Kleibacker, Dawson & Miller, LLP \$125.00; Neil Bittner \$19.00; Ron Keller \$151.00; Scott Kolb \$19.00. Utilities: AT&T Mobility \$44.73; CenturyLink \$296.42; City of Aberdeen Treasurer \$261.24; Leidholt Electric, LLC \$146.83; \$17,234.87; T-Mobile USA Inc \$613.00; Town of Frederick \$77.00. Other: Amusement Midway Providers Inc \$58,573.41. All members present voting aye. Motion carried.

HR REPORT:

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

- Resignation of Lee Isaak as Brown County Sheriff's Office Records Technician, FT; effective August 24, 2026. Request to fill.
- Temporary 2026 Brown County Election Workers September 18 - November 2, 2026 @ \$16.00/hr.
 - Delana Bertsch
 - Janis Erickson
 - Darlene Evans
 - Cheryl Finstad
 - Phyllis Gab
 - Deborah Kolbeck
 - Penny Rohrbach
- Adding Auditor Volunteer Intern, Kyra Heupel, to the approved list for Work Comp purposes.
- Adding Chris & Sara Allen to the approved volunteers list for Work Comp purposes.
- Hiring of Nicholas Cochran as PT Brown County Jail Transport Driver and Court Security, starting wage \$27.52/hr.; effective September 14, 2026.

All members present voting aye. Motion carried.

LANDFILL TONNAGE REPORT:

Moved by Commissioner Dinger, seconded by Wiese to acknowledge the Landfill Tonnage Report for August 2026. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNTS FOR JULY 2026:

Moved by Commissioner Gage, seconded by Wiese to approve the Auditor's Report of Accounts for July 2026: Total Cash and Checks on Hand \$7,700.00; Total Checking Account Balances: \$18,445,640.10; Total Savings Account Balances: \$1,375,447.42; Total Certificates of Deposit: \$13,409,317.08; Grand Total Cash and Balances: \$33,238,104.60. General Fund \$19,130,309.91; Road & Bridge Fund \$2,983,517.19; 911 Service \$635,155.65; Emergency & Disaster \$151,236.37; Domestic Abuse \$1,404.03; SA Grants \$178,368.07; 24/7 Sobriety \$55,998.21; ROD M&P \$72,517.93; Opioid Settlement Fund \$60,565.18; Rural Access Infrastructure \$473,290.90; TIF Debt Service \$78,175.39; Landfill + cash change \$7,271,963.31; Landfill - restricted \$1,894,495.06; Trust and Agency Funds \$2,145,602.46; GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS \$33,238,104.60. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the following lease agreements: DTOM 220 Foundation to lease Fairgrounds Expo Building Parking Lot

on November 11, 2026; Rashel Newman & Craig Voight to lease the Clubhouse on June 25-28, 2027 for a wedding. All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Wiese, seconded by Dinger to approve the following Travel Requests: Derek Hoefert from Sheriff's Office to attend Proactive Patrol Tactics. All members present voting aye. Motion carried.

OTHER BUSINESS:

Chairman Sutton shared there will be no Commission meeting on Tuesday, September 15th due to be attending the Statewide Fall County Convention.

EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Dinger to go into Executive Session per SDCL 1-25-2 for Personnel, Contracts and Legal. All member present voting aye. Motion carried.
Chairman Sutton declared the Executive Session closed with No Action taken.

MINUTES:

Moved by Commissioner Wiese, seconded by Gage to approve the General Meeting Minutes of September 1, 2026. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Commissioner Wiese, seconded by Dinger to adjourn the Brown County Commission at 11:17 A.M. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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