

OCTOBER 6, 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 and Sutton. Commissioner Wiese was absent. Commissioner Dinger led the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

PUBLIC COMMENT:

Todd Campbell shared with the Commission his experiences with a Data Center that went up near his previous home. He informed them of 5 phases of the process and that the meter doesn't pick up all sounds. Todd experienced nightmares, had to change filters monthly instead of every six months due to all the dust it created and when he sold his house he took a 25% loss due to the Data Center.

Vicky Wilson asked if they had a plan for the diversion of traffic when 6th Ave. is closed due to Bridge being replaced. She shared the Beef Plant Road is a mess after it rains.

RICHMOND DAM UPDATE:

Chairman Sutton shared the following information he received from Scott Meints, Emergency Management Director: SFC Civil Constructors has completed driving sheet piling on the upstream cofferdam; They will be driving a secondary row of sheet piling to assist in the construction of the North Approach Wall. This work has begun; 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. This pour will take place on October 13, 2026; SFC is maintaining lake elevation of 1349'; Foothills Contracting built a downstream coffer dam and has started de-watering the stilling basin area; Foothills Contracting continues excavation of the spillway. Once that has been completed, they will remove the rest of the concrete from the old spillway and Bauer Foundations has completed the Seepage Cutoff Wall.

DISCUSS TASK FORCE FOR DATA CENTERS:

Ron Wager, Aberdeen City Attorney and Dave McNeil, Aberdeen City Manager met with the Commission because a citizen brought up the idea of creating a Task Force for Data Centers, they feel the Task Force would be a good idea as long as it doesn't slow down the process and nothing is getting accomplished. They feel public input is good for any Data Centers that are proposed in the County. The City of Aberdeen has adopted a moratorium for building permits for Data Center and looks like the City Council will be extending that moratorium. Ron also shared that the City of Aberdeen has a desire to come back with a proposal to enter into a joint jurisdiction agreement again as well. Currently, they have three goals: support a task force; understand what it's supposed to be doing and create a joint jurisdiction again. Dave McNeil asked if the Commission would be interested in also creating a Task Force for the Unhoused/Homeless Situation in Aberdeen, as well. Chairman Sutton stated that they would be open to working together and creating Task Forces for both the Data Centers and Homeless. Liza Ronayne made a comment about the Task Force, that due to the controversy with Data Center, they want mandatory Environmental Studies because it affects human and animal health, purge system with waste so these are critical things that should be community centered and have residents involved in the Task Force. She questioned if the Commission see the joint jurisdiction changing, Chairman Sutton said they heard rumors about the City Council was wanting to do a joint jurisdiction again, but all the people we have heard from like the way it is now. If we were to consider it, we would want to address the reasons that the joint jurisdiction was disbanded. Natasha Wells asked about Brown County's permitting for Industrial and if any Environmental Studies are done. Scott Bader, Planning & Zoning Director, says it depends on type of business and the Conditional Use Permits. Dirk Rogers, Highway Superintendent, stated it may also depend on where the funding is coming from because may have a requirement as well.

RFP FOR SOUND, LIGHTING AND STAGE EQUIPMENT FOR GRANDSTAND ENTERTAINMENT FOR THE 2027-2031 BROWN COUNTY FAIR:

Rachel Kippley, Fair/Fairgrounds/Parks Manager met with the Commission to get approval to publish notice requesting proposals to provide the Sound, Lights and Stage Equipment for the Brown County Fair. The six (6) days of entertainment includes the Dacotah Stampede Rodeo on Monday and Tuesday and concerts on Wednesday, Thursday, Friday and Saturday. These services would be good for a 5-year contact for the years of 2027, 2028, 2029, 2030 and 2031. Moved by Commissioner Dinger, seconded by Dennert to approve publishing the RFP for Sound, Lighting and Stage Equipment for Grandstand Entertainment for the 2027, 2028, 2029, 2030 and 2031 Brown County Fair. All members present voting aye. Motion carried.

RFP FOR GRANDSTAND BIG SCREENS WITH OPTIONAL TIMING SERVICE FOR 2027-2031 BROWN COUNTY FAIR:

Rachel Kippley, Fair/Fairgrounds/Parks Manager met with the Commission to get approval to publish notice requesting proposals to provide Screens, Cameras, Video Packaging and Technicians with Optional Add-On for Two-Day Rodeo Timing Services for the Brown County Fair. The six (6) days of entertainment includes the Dacotah Stampede Rodeo on Monday and Tuesday and concerts on Wednesday, Thursday, Friday and Saturday. These services would be good for a 5-year contact for the years of 2027, 2028, 2029, 2030 and 2031. Moved by Commissioner Dennert, seconded by Dinger to approve publishing the RFP for Grandstand Big Screen with optional Timing Service for the 2027, 2028, 2029, 2030 and 2031 Brown County Fair. All members present voting aye. Motion carried.

RFP FOR SANITATION SERVICES FOR 2027-2029 BROWN COUNTY FAIR:

Rachel Kippley, Fair/Fairgrounds/Parks Manager met with the Commission to get approval to publish notice requesting proposals for an Individuals or Companies to supply the labor force to operate the Fair Sanitation Crew for the upcoming Brown County Fairs. These services would be for the next three years: August 16-22, 2027; August 14-20, 2028 and August 13-19, 2029. Moved by Commissioner Gage, seconded by Dennert to approve publishing the RFP for Sanitation Services for the 2027, 2028 and 2029 Brown County Fair. All members present voting aye. Motion carried.

RFP FOR ELECTRICIAN SERVICES FOR 2027-2029 BROWN COUNTY FAIR:

Rachel Kippley, Fair/Fairgrounds/Parks Manager met with the Commission to get approval to publish notice requesting proposals for the Electrical Services including labor and services for the upcoming Brown County Fairs. These services would be good for the next three years: August 16-22, 2027; August 14-20, 2028 and August 13-19, 2029. Moved by Commissioner Gage, seconded by Dinger to approve publishing the RFP for Electrician Services for the 2027, 2028 and 2029 Brown County Fair. All members present voting aye. Motion carried.

AMEND HAY CUTTING LEASE FOR LAND AT FAIRGROUNDS:

Rachel Kippley, Fair/Fairgrounds/Parks Manager asked the Commission to amend the lease agreement for Donald Griese due to the roads being put into the Primitive Area and taking away about 1.5 acres off the total hay cutting land; will go from 38 acres to 36.5 acres. Moved by Commissioner Dennert, seconded by Dinger to lower the lease by 1.5 acres, so Donald Griese will be billed for 36.5 acres instead of 38 acres going forward. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCIES:

Moved by Commissioner Dinger, seconded by Gage to approve the following application submitted by Northern Valley Communications (NVC) for occupancy of Brown County 14 in Section 34/34, Township 124, Range 63, Brown County, South Dakota to provide fiber optic line for NVC Communications to the Moccasin Creek Maintenance Shop. All members present voting aye. Motion carried.

Moved by Commissioner Dennert, seconded by Gage to approve the following application submitted by East River Electric Power Coop. for occupancy of Brown County 20 & 21, Township 122N to install 155 kV Electrical Transmission Lines. All members present voting aye. Motion carried.

Moved by Commissioner Dinger, seconded by Dennert to approve the following application submitted by Northern Electric for occupancy of Brown County 14, Township 127N, Range 63W to install primary electrical services. All members present voting aye. Motion carried.

Moved by Commissioner Dinger, seconded by Gage to approve the following application submitted by Basin Construction for occupancy of Brown County 16, Section 5, Township 122N, Range 62W to install drain tiles. All members present voting aye. Motion carried.

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent, informed the Commission that Sand Lake Bridge is still on track for November 1st deadline. The Erickson culvert is completed. Dirk shared that he plans on including an upgrade to the Beef Plant Road in his 5-year plan; hearing will be next Tuesday. Road 14 will still be completed at the end of October; they are currently paving on 10. Staff are continuing mowing and patching. They still have striping to do on a few roads as well. Commissioner Dennert shared that he got a call about Hwy 5 by Hecla; Dirk said that it will be milled up and turned to gravel. Depending on the temperature, they will put a blotter on it yet this year.

TRANSFER CHEVY SUBURBAN FROM HIGHWAY TO MUSEUM:

Moved by Commissioner Dinger, seconded by Gage to approve transferring 2008 Chevy Suburban from Highway Department to the Museum to replace their van. All members present voting aye. Motion carried.

ORDINANCE #334 – SECOND READING/POSSIBLE ADOPTION:

Moved by Commissioner Gage, seconded by Dennert to adopt Ordinance #334. Applicant County Line Developers to rezone 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.). All members present voting aye. Motion carried.

ORDINANCE #335 – SECOND READING/POSSIBLE ADOPTION:

Moved by Commissioner Dinger, seconded by Gage to adopt Ordinance #335 to amend Title 4 Zoning Ordinances of Chapter 4.01 – Definitions; Chapter 4.06-Agricultural Preservation District (AG-P); Chapter 4.22 – Administrative Procedure and Enforcement-Permits. All members present voting aye. Motion carried. (Full copy of Ordinance is available in the Auditor’s Office during normal business hours).

ORDINANCE #336 – SECOND READING/POSSIBLE ADOPTION:

Moved by Commissioner Dennert, seconded by Dinger to adopt Ordinance #336 to amend portions of the Brown County Comprehensive Plan 2020-2040, Chapter 2 – Land Use. All members present voting aye. Motion carried. (Full copy of Ordinance is available in the Auditor’s Office during normal business hours).

LANDFILL CELL #5 CONSTRUCTION – PAYMENT #5:

Moved by Commissioner Gage, seconded by Dinger to approve and authorize Chairman Sutton to sign the Payment #5 for the Landfill Cell #5 Construction to Midland Contracting, Inc. for \$467,314.00. All members present voting aye. Motion carried.

RESIGNATION FROM MARKCUS SELZLER DBA: CENTENNIAL VILLAGE

Moved by Commissioner Dinger, seconded by Gage to acknowledge and accept the 30-day Notice of Contract Resignation from Marcus Selzler, Board President of Centennial Village to terminate contract with Brown County, effective October 30, 2026. All members present voting aye. Motion carried. Chairman Sutton stated to Thank Marcus and his family for all they've done over the last 15 years at Centennial Village.

MINUTES:

Moved by Commissioner Gage, seconded by Dinger to approve the General Meeting Minutes of September 29, 2026. All members present voting aye. Motion carried.

CLAIMS/PAYROLL:

Moved by Commissioner Dennert, seconded by Gage to approve the following claims/payroll. Claims: Insurance: SD Assoc of County Commissioners \$16,552.00. Professional Fees: Helms & Associates \$39,581.70; Kennedy Pier Loftus & Reynold, LLP \$183.00; Krisit Brandt \$44.10; Kuck Law Office \$5,875.35; Lenling Law Office, Prof. LLC \$488.00; Liberty Tire Recycling, LLC \$7,363.93; Pauer Sound, LLC \$262.98; Sanford Health Occupational Medicine \$290.00; SD Dept of Transportation \$1,474.15; SDHSC \$600.00; SDSU Extension 4-H Programs \$50.00; Taliaferro Law Firm, PC \$3,184.20; Tammy Stolle Court Reporting \$53.35. Publishing: AlphaMedia-Watertown \$4,300.00; Groton Daily Independent \$212.86; McQuillen Creative Group, Inc \$216.60. Rentals: Advantage Self Storage \$276.00; Linde Gas & Equipment Inc \$66.11; Pantorium Cleaners Inc \$517.13. Repairs & Maintenance: Auto Value Aberdeen \$222.81; Burdette Security & Technologies, LLC \$95.00; Dakota Fluid Power, Inc \$791.66; Diesel Machinery, Inc \$8,000.00; EcoLab Pest Elimination Division \$138.07; Fulcrum Biometrics \$600.00; Graham Tire Inc \$910.96; Haar Plumbing & Heating \$483.34; HF Jacobs & Son Const. Inc \$315.00; House of Glass \$621.39; Lang's Audio, TV & Appliance \$380.00; Lawson Products, Inc \$192.53; Leidholt Electric, LLC \$200.30; Olson's Pest Technicians \$455.00; Pantorium Cleaners Inc \$876.89; Pomp's Tire Service, Inc \$612.00; Prahm Construction, Inc \$472,261.92; Precision Kiosk Technologies \$3,000.00; Safety Service, Inc \$82.50; Transource Truck & Equipment, Inc \$5,699.77; Valvoline Inc. \$169.68; Wallys Skidsteer Service \$867.00. Supplies & Materials: Advance Auto Parts \$28.69; Amazon Capital Services, Inc \$82.40; Auto Value Aberdeen \$457.96; Cartney Bearing \$359.58; Central Network Retail Group LLC \$96.55; Christina M. Flack \$800.00; Cole Paper Inc \$594.16; Crawford Trucks & Equipment \$455.39; Dakota Electronics LLC \$2,979.16; Dakota Fluid Power, Inc \$4,462.96; Diesel Machinery, Inc \$152.49; Fastenal Company \$402.75; Geffdog Designs \$694.50; Great Western Tire \$90.00; Hub City Equipment \$78.57; Interstate Battery System of South Dakota \$914.70; Intoximeters \$1,050.00; J.D. Power \$662.00; Jebro Inc \$92,004.90; Kuck Law Office \$400.25; L.G. Everist, Inc \$4,141.82; Lawson Products, Inc \$2,728.74; Lewis Family Drug LLC \$75.54; Menards \$212.78; Midstates Group \$54.80; Performance Oil \$482.34; Pomp's Tire Service, Inc \$1,118.84; RaceWest-East \$249.00; Runnings \$164.53; Safety Service, Inc \$438.93; Share Corporation \$1,480.80; Transource Truck & Equipment, Inc \$3,450.71; Tri-State Water \$90.10; US Foods \$9,792.59; Valvoline Inc. \$326.97. Travel & Conference: Drew Dennert \$458.35; Duane Sutton \$520.13; John Andersen \$66.00; Lenling Law Office, Prof. LLC 80.00. Utilities: AT&T Mobility \$188.54; CenturyLink \$296.42; Northwestern Energy \$22,097.37; T-Mobile USA Inc \$613.00; Town of Frederick \$77.00. Improvements: Midland Contracting Inc \$467,314.00. Payroll: Commission \$5,165.81; Elections \$5,310.43; Auditor \$9,603.21; Treasurer \$19,800.48; SA \$38,018.17; Public Defender \$14,449.33; Maintenance \$21,386.51; Assessor \$17,506.93; Register of Deeds \$12,586.04; VSO \$5,259.85; GIS \$3,110.76; IT \$10,616.94; HR \$5,755.54; Sheriff \$57,256.59; Jail \$79,216.66; Coroner (Voucher) \$1,950.00; Court Security \$7,871.50; JDC \$32,896.39; Support of Poor \$1,124.71; Museum \$14,333.00; Parks/Fairgrounds \$10,138.67; Fair Board \$4,858.37; 4-H \$881.59; Weed \$8,126.59; Planning & Zoning \$8,608.09; Highway \$55,710.98; Dispatch \$40,111.77; Emergency \$5,938.98; 24/7 Sobriety \$2,832.48; Landfill \$16,825.22; Meal Benefits \$133.00; Tips \$539.00; SDRS Pay-out \$9,919.49; Retirement Award \$150.00; FICA \$30,086.52; Medicare \$7,036.34; HSA \$2,463.36. All members present voting aye. Motion carried.

HR REPORT:

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

- Employment ending for Brad Borge, Brown County Chief Public Defender, FT; effective October 1, 2026. Request to fill.
- Employment ending for Joel Randall, Brown County Building Service Worker, FT; effective October 1, 2026. Request to fill.
- Employment ending for Blake Martin, Brown County Jail Detention Officer, FT; effective October 15, 2026. Request to fill.
- Hiring of Cynthia Mitchell as Brown County Jail Records Technician, PT; starting wage \$21.50/hr. – effective October 5, 2026.
- Hiring of Hannah Miller as Brown County Sheriff's Office Records Technician, FT; starting wage \$20.46/hr. – effective October 19, 2026.
- Transfer of Jason Hasty from Chief Deputy Public Defender to Interim Chief Public Defender, wage adjustment during interim period \$5,097.34/pay period – effective October 11, 2026.

All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Dennert to approve the following Travel Requests: Jerry Lehrkamp, Weed & Pest to take F550 to have Benco sprayer installed; Josh Lee, Sheriff's Office to attend Advanced Instructor Development Training and Statewide Narcotic Detector Dog Training (K9); Adelaide Mouna, State's Attorney Office to attend Annual Community Response to Child Abuse Conference. All members present voting aye. Motion carried.

LANDFILL TONNAGE REPORT:

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

OTHER BUSINESS: None

EXECUTIVE SESSION:

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

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

ADJOURNMENT:

Moved by Commissioner Dennert, seconded by Dinger to adjourn the Brown County Commission at 10:36 A.M. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

Published October 14-15, 2026 at the total approximate cost of \$_____ and may be viewed free of charge at www.sdpublicnotices.com.