

## FEBRUARY 6, 2024 – 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, Fjeldheim, Gage, Sutton, and Wiese. Commissioner Fjeldheim led the Pledge of Allegiance.

### MOMENT OF SILENCE:

A Moment of Silence was held in remembrance of Ken Prorock, Chief Deputy Officer from Moody County that was killed in the line of duty last Friday and Marshall County Commissioner Kevin Jones who passed away on Sunday.

### APPROVAL OF AGENDA:

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

### OPPORTUNITY FOR PUBLIC COMMENT: None

### BID FOR EXPO ROOF:

Time and place, as advertised to open, read and consider sealed bids for replacing or retrofitting a metal roof on the Holum Expo Building at the Brown County Fairgrounds. Rachel Kippley, Fair/Fairgrounds/Parks Manager shared they sent an addendum to those that expressed interest on Friday, February 2<sup>nd</sup> regarding the installation of the insulation. Two bids were received: North Central Steel Systems for \$585,654.00 with no alternates listed; MLC Construction for \$858,820.00 with Alternate 2: 1,101,530.00; Alternate 3: 36,500.00; Alternate 4: \$18,750.00 and made a note that existing gutters will not work with proposed system so new gutters would be \$15,000.00 and rails at \$19,000.00. Rachel asked to refer the awarding of the bid for a week so that her and Dean Marske from HKG Architects could review. Moved by Commissioner Wiese, seconded by Fjeldheim to refer the bids for a week for Rachel and Dean to review. All members present voting aye. Motion carried.

### LOAD LIMITS:

Dirk Rogers, Highway Superintendent informed the Commission that he recommends having load limits go into effect on Monday, February 12<sup>th</sup>. Commissioner Fjeldheim mentioned that if we get the rain as forecasted that is going to draw the frost out of the ground, then conditions will get worse because it is already getting soft. Commissioner Dennert commented that the forecast looks like there will be a cold stretch coming, last year we put the load limits on and then the temps got down to zero so then people were questioning why the load limits were put on; from a Highway stand point he understands they should be put on but from a producers stand point it is early so caught between a rock & a hard place so he has mixed feelings. Commissioner Wiese commented that they have done different parts of the county in the past because some roads won't be damaged, and others will be so its not a perfect solution or answer. Dirk informed the Commission that some Counties have already put load limits on; Spink County does a staggered posting, but Dirk is not a fan of that, and he feels that is more complicated and wants to make easier for law enforcement. Commissioner Fjeldheim asked that some of the roads are unposted, and everyone is aware of those or can find on the county website or something. Dirk shared the official list is posted on the States website but would need to check with GIS to see if he updates the County website. Commissioner Dennert mentioned that if they are going to be on Monday, waiting another day – Tuesday, February 13<sup>th</sup> then see what the weather is going to do. Dirk informed Commission that they tried that a couple years ago, to go to the very last day they could possibly do it but then people complained they didn't have any time to get their stuff done. Commissioner Gage questioned the amount of frost left in the ground, doesn't feel there is much left and historically we put load limits on when the frost comes out of the ground and this year it happens to be earlier and we don't have control over the weather and because of the roads he has been on are already showing problems at the surface so feels if anything we are late. After further discussion the following Resolution was presented:

### RESOLUTION FOR LOAD LIMITS:

Commissioner Wiese offered the following Resolution as of February 6, 2024:

### **RESOLUTION #11-24**

WHEREAS, SDCL 32-22-24 authorizes the proper authority to establish maximum axle and axle group loadings during the period of each year from February 15th to April 30th, inclusive, and

WHEREAS, SDCL 32-22-24 further provides that if highway and climatic conditions warrant, the proper highway authority may extend the time period mentioned by ordinance or resolution.

WHEREAS, SDCL 32-22-25 authorizes the proper authority to reduce the maximum weight and load of vehicles on specific roads without formal resolution where such road would be damaged or destroyed by heavy traffic by reason of thawing or excessive moisture.

WHEREAS, SDCL 32-22-25 further provides that notice shall be given by placing proper signage indicating the limitations of the gross weight of the vehicle on such specific roads.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission, per SDCL 32-22-24 extends the seasonal load restrictions established by Brown County Commission in regular session on February 6<sup>th</sup> (6-ton per axle and 40 MPH for trucks) from February 12<sup>th</sup> to April 30<sup>th</sup> or until roads become stable and further authorizes the posting of signage on all roads to be restricted in order to prevent damage or destruction by reason of thawing or excessive moisture.

FURTHER, BE IT RESOLVED that the Brown County Commission requests the South Dakota Department of Public Safety and the South Dakota Highway Patrol to enforce Annual Seasonal Load Restrictions on over weight limits, over width load limits, and speed limits on Brown County Roads during the February/March/April spring thaw and breakup period that the roads are posted.

FURTHER, BE IT RESOLVED that all Brown County Oil Roads are posted at 6-ton per axle and truck speed of 40 MPH, except for the following:

1. Belt Loop around the City of Aberdeen
2. Road 4 from 24th Ave, North 1.0 mile to CR 13
3. Road 7 from US Highway 281 East 1.0 mile to Barnard and County Road 10
4. Road 9 from US Highway 281 East 1.0 mile to Westport and County Road 10
5. Road 9 from SD Highway 37 East 7.0 miles to Brown/Marshall County Line
6. Road 10 from County Road 13 (Prairiewood Road) South 1.0 mile to Road 15
7. Road 10 from County Road 19 (Melgaard Road) South 1.0 mile to County Road 14W
8. Road 11 from County Road 16 West 10.0 miles to US Highway 281
9. Road 11 .50-mile East of SD Highway 37 to Huffton
10. Road 11 from County Road 16 East 1 mile
11. Road 12 from 24th Ave NE 1 mile to County Road 13
12. Road 12W will not be posted from County Road 19 East to US Highway 281 (2.0 miles)
13. Road 12WA from US Highway 12 North 2.0 miles
14. Road 12WB from US Highway 12 North to County Road 12W
15. Road 13 from County Road 14 West 5.0 miles to US Highway 281
16. Road 14 from 126<sup>th</sup> St. South 7 miles to US Highway 12
17. Road 14W from US281 East 1.5 miles
18. Road 15 from US Highway 281 East 1 mile to County Road 10
19. Road 15 from 385th Ave East .50 mile
20. Road 15 from County Road 12 (Roosevelt Road) East 1.0 mile to County Road 19
21. Road 16 from the Town of Columbia South 0.5 miles to County Road 11
22. Road 16C from County Road 23 South 1 mile to Stratford
23. Road 19 from the JCT of CR 19 and CR 17 (8th Ave NE) North 1.0 mile to CR 15
24. Road 20 from County Road 9 South .02 miles to the railroad tracks
25. Road 23 from US Highway 281 East 1.0 mile to Warner and County Road 10
26. Road 23 from US Highway 281 West .25 miles
27. Road 23 from Road 16C for 10 miles East to SD Highway 37
28. Road 23B the Town of Ferney West to SD Highway 37
29. Road 27 from SD Highway 281 West 2.0 miles to the town of Mansfield
30. Frederick Main Street from US Highway 281 East 0.5 miles to the Frederick City Limits

### **31. Road 14W from Road 19, West 2.5 miles – 3 ton per axle**

**THEREFORE, BE IT FURTHER RESOLVED:** That the Brown County Board of Commissioners authorizes the Brown County Highway Department Superintendent to place signage providing adequate notice of the reduced maximum weight of any vehicle on any improved highway of this County which, in his opinion, would be damaged or destroyed by heavy traffic by reason of thawing or excessive moisture until the expiration of the 2024 seasonal load restrictions. SDCL 32-22-25

Seconded by Commissioner Fjeldheim.

Roll call vote: Commissioners Dennert-nay, Fjeldheim-aye, Gage-aye, Sutton-aye, Wiese-aye. Resolution adopted.

#### **SEASONAL LOAD RESTRICTIONS:**

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the following seasonal load restrictions for 2024: The Brown County Highway Department seasonal load restrictions will go into effect Monday, February 12, 2024, or when the load limit signs are installed and displayed, on all Brown County Oil Roads. All Asphalt Roads will be posted at 6-tons per axle and 40 MPH for trucks during the February/March/April spring thaw and breakup or until roads become stable except for the following:

- Belt Loop around the City of Aberdeen
- Road 4 from 24th Ave, North 1.0 mile to CR 13
- Road 7 from US Highway 281 East 1.0 mile to Barnard and County Road 10
- Road 9 from US Highway 281 East 1.0 mile to Westport and County Road 10
- Road 9 from SD Highway 37 East 7.0 miles to Brown/Marshall County Line
- Road 10 from County Road 13 (Prairiewood Road) South 1.0 mile to Road 15
- Road 10 from County Road 19 (Melgaard Road) South 1.0 mile to County Road 14W
- Road 11 from County Road 16 West 10.0 miles to US Highway 281
- Road 11 .50-mile East of SD Highway 37 to Huffton
- Road 11 from County Road 16 East 1 mile
- Road 12 from 24th Ave NE 1 mile to County Road 13
- Road 12W will not be posted from County Road 19 East to US Highway 281 (2.0 miles)
- Road 12WA from US Highway 12 North 2.0 miles
- Road 12WB from US Highway 12 North to County Road 12W
- Road 13 from County Road 14 West 5.0 miles to US Highway 281
- Road 14 from 126<sup>th</sup> St. South 7 miles to US Highway 12
- Road 14W from US281 East 1.5 miles
- Road 15 from US Highway 281 East 1 mile to County Road 10
- Road 15 from 385th Ave East .50 mile
- Road 15 from County Road 12 (Roosevelt Road) East 1.0 mile to County Road 19
- Road 16 from the Town of Columbia South 0.5 miles to County Road 11
- Road 16C from County Road 23 South 1 mile to Stratford
- Road 19 from the JCT of CR 19 and CR 17 (8th Ave NE) North 1.0 mile to CR 15
- Road 20 from County Road 9 South .02 miles to the railroad tracks
- Road 23 from US Highway 281 East 1.0 mile to Warner and County Road 10
- Road 23 from US Highway 281 West .25 miles
- Road 23 from Road 16C for 10 miles East to SD Highway 37
- Road 23B the Town of Ferney West to SD Highway 37
- Road 27 from SD Highway 281 West 2.0 miles to the town of Mansfield
- Frederick Main Street from US Highway 281 East 0.5 miles to the Frederick City Limits
- **Road 14W from Road 19, West 2.5 miles – 3 ton per axle**

No overweight or over-width permits will be issued except in extreme cases of emergency. If such an emergency exists, the following permit fees will be applicable:

Single Permit @ \$10.00

Temporary Permit @ \$20.00  
Annual Permit @ \$50.00

Roll call vote: Dennert-nay; Fjeldheim-aye; Gage-aye; Sutton-aye; Wiese-aye. Motion carried.

#### HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent gave the Commissioners a Department Update: they are still crushing in the backyard; Co. Rd 5 got a favorable wetlands determination, 1 mile west of 281 by Frederick will be doing some grade raising on it; Elm Lake Bridge will be replaced next winter, also. Commissioner Dennert questioned alternate routes for the people that live on the west side of the Lake and Dirk shared they could go north to the State Line and then back to Hwy. 281. Dirk informed the Commission that next week they will be opening bids for the Micro-surfacing projects, and they are doing shoulder work on Br. Co. 23. Commissioner Dennert asked about placing an electronic speedometer at the junction of Co. Rd. 13 and 10 near Rolling Meadows and Dirk stated that he will look into that. Commissioner Fjeldheim asked about the 4-way Flashing Stop Signs because only one is working at that intersection now. Dirk shared they are working on getting better ones. Commissioner Sutton asked about the rumble strips on Co. Rd 6; Dirk will look into that as well. Commissioner Dennert asked if Dirk plans to attend the D.O.T. meeting regarding the Moccasin Bridge on 6<sup>th</sup> Ave.; Dirk stated that he has another commitment in Chamberlain that day so Matt will probably be attending the meeting. Dirk shared that the detour will probably be Co. 13/130<sup>th</sup> St, by Prairiewood. Commissioner Wiese asked about the speed limit north of Dependable Sanitation on Co. Rd. 19. Dirk stated he is in favor of lowering the speed limits so he will look into a set speed for the whole stretch.

#### DISCUSS FREEDOM OF INFORMATION ACT (FOIA) FEES:

Auditor Heupel shared a recommendation for FOIA fees based on information gathered from other Counties. Moved by Commissioner Wiese, seconded by Dennert to approve the FOIA fees as presented. The Fees are as follows: E-mail/Print/Copies in Black & White: \$1.00/page; E-mail/Print/Copies in Color: \$2.00/page; If over an hour of time: \$25.00/hour plus the cost of per page fee; If must mail: cost of postage plus the cost of per page fee; Flash drive: \$5.00 plus cost of per page fee. All members present voting aye. Motion carried.

#### TASER AGREEMENT:

Jon Lemke, Chief Deputy Sheriff and Wes Graff, Deputy met with the Commission to discuss a new contract for Tasers. The current 5-year contract is coming to an end with Axon. The new contract will be for 10 years; the initial cost for first year would be \$19,212.25, which was figured in the 2024 Budget; then annual fee would be \$19,209.51 for years 2-5 and then go to \$22,094.17 for years 6-10. Included with the new contract is Taser Instructor courses (officers need to recertify yearly), holders, unlimited cartridges, training halt suit, battery packs and chargers. The department will receive the newest tasers available and if during the contract any new equipment comes out, they would receive the new equipment at the same cost. Automatically send replacement cartridges when used in the field. The new Taser 10 will shoot 10 darts compared to current tasers shoot 2 darts. Taser 10 is the safest and most effective taser on the market. Axon is the sole manufacturer, distributor, and retailer of Taser brand products in the State of SD. Commissioner Fjeldheim asked what they would do with the old Tasers and Deputy Graff shared they will be traded in for the new ones. Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the 10-year Taser contract with Axon. All members present voting aye. Motion carried.

#### JAIL INCOME/EXPENSE REPORT:

Sheriff, Dave Lunzman decided to give a public report based on an information request from Bob Schatz. Sheriff Lunzman shared that the total jail capacity is 54; 48 beds and 6 holding cells. National average states that if the jail is at 80% of capacity it is considered full. In July of 2023, they entered a contract to house 6 inmates with Faulk County, that cost us \$55,809.00 in 2023 but will be approximately \$200,000.00 in 2024: at a rate of \$90.00/day/person – these are long term inmates for a month or longer; also, they deal with a lot of Federal prisoners so will transport our prisoners at no charge if already coming that day. When other counties bring inmates in whether it is for a few hours or days they are charged the same per day rate. If Brown County makes an arrest for another county, they do not charge that county if they are out within a couple of days – Brown County receives the same courtesy from other counties. Transports that may be kept overnight, are not charged either. The average daily population (ADP) in 2023 was 51.6. The average daily arrests is 7.2 people/day. Commissioner Wiese asked Sheriff Lunzman at what time he is pulling his numbers, Sheriff Lunzman shared that he does it

between 5-6 a.m. Also, if we are holding inmates for another county and we need the room for our inmates then that county is called and informed they will need to move them to another facility. Sheriff Lunzman shared that Brown County has a contract with McPherson County for \$25,000/year that they pay upfront; then if go over that they pay \$85.00/day/person for the overage.

Brown County participates in the Penitentiary Shuttle Program which brought in \$14,706.00 last year. Also, the inmates are charged for their phone usages which brought in \$51,547.00; Commissary was \$8,700.00; GPS Work Release Program brought in \$38,950.00 in 2023. GPS on Bonds, which is ordered by the Judge, but we still bring in funds for them; we brought in \$31,748.00 in 2023. Commissioner Fjeldheim asked about the revenue if it is offsetting the budget. No, it does not offset the budget, the revenue goes into the General Fund for the County, which is turned around to cover department budgets each year.

Commissioner Wiese commented that when an inmate is sentenced and receive a suspended sentence for time served; the County is not reimbursed for that time – the County pays for that. Bob Schatz questioned that when holding a prisoner for Department of Corrections (DOC) the County receives \$95.00/day; asking why as the County Commissioners don't, they work together and get this resolved to recover those costs from DOC or the State of SD because this is a huge expense to every county. Commissioner Sutton stated that they have tried to convince the State that the County should be reimbursed but it has been difficult and has not been successful in the past. Bob Schatz mentioned to ask Representatives because feels he would be willing to bring a bill forth for this matter. Commissioner Sutton mentioned that we thought it would be a good idea to have a Regional Jail in NE South Dakota to help accommodate the surrounding 14 counites that are affected; we could not get the Legislators to support that. Bob Schatz stated that he would like to meet with Sheriff Lunzman and the head Jailer to go over some more information, so he will be reaching out to set up a time to do this.

Sheriff Dave Lunzman wanted to respond to the Commission from January 30<sup>th</sup> that the County Commission wanted to take over the FOB access for the Jail and the Courthouse; Sheriff Lunzman stated per SDCL 24-11-13 and Attorney General Opinion 06-07 the Sheriff is in charge of the jail and its operation, this would include key FOB access in order to control the safety of all. Then on December 4, 2017, the 5<sup>th</sup> Judicial Court Judges ordered the Sheriff shall provide security to the court, Sheriff Lunzman feels that the only way to do this is to oversee the FOB access to those areas. For the medical part appears through SDCL is yours and you can have that if you so choose and that can be decided at a later date. Lastly, there was a newspaper article a few weeks ago that makes it appear that there was some discord between the Brown County Sheriff's Office and Aberdeen Police Department (APD), the article made it appear that it was Sheriff Lunzman's fault; Sheriff Lunzman shared that he has been in law enforcement in this area for over 30 years and there has been a discord for almost the entire time. Sheriff Lunzman shared that he knows he was asked to fix the relationship but stated on Sunday there were 2 instances that the APD was contacted requesting assistance and they responded with Negative 10-8, which means No I am not going to help but ready for any other calls for the first call; second response was that is all county 10-8, meaning that is the County's problem not theirs. Though that is disappointing, it was a bigger disappointment when Sheriff Lunzman sent a message over to Chief McNeil responded with the process is flawed, didn't let them know quick enough, and that their officers did nothing wrong. These actions are the problems that he is dealing with, which is disappointing since the citizens pay all of our salaries and Lunzman wishes they could get along but if they are refusing to help when asked there is nothing he can do.

#### HOUSING AND REDEVELOPMENT COMMITTEE:

Moved by Commissioner Fjeldheim, seconded by Dennert to approve the Housing & Redevelopment Committee for 2024 which consists of Marty Sabolo, Chairman; Karl Alberts, Vice Chairman/Treasurer, Kathy Zerr – Secretary, Jeff Mitchell, Commissioner and Clark Thares, Commissioner. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the January 30, 2024 General Meeting Minutes. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Commissioner Gage, seconded by Wiese to approve the following claims: Professional Fees: Aberdeen ED \$342.49; Aberdeen Family YMCA \$108,833.60; Aberdeen Surgery \$254.30; Acute Care Aberdeen \$187.65; Avera Medical Group Radiology \$520.54; Carrels & Bain Family Dental Care, LLC \$369.72; Commercial Electronics \$5,700.00; Fargo Teleradiology Prof \$244.89; IMEG Corp \$5,290.00; Kristi Brandt \$132.25; Lincoln

County Auditor \$752.68; Lucy Lewno \$500.00; Mark Katterhagen \$51.00; Radiology-North Center \$164.89; Sanford Health Occupational Medicine \$464.00; Sara J. Zahn \$23.40; Siegel Barnett & Schutz \$315.00; Tyler Technologies, Inc \$63.00; Valerie Larson \$51.00; Yankton County Sheriff's Office \$250.00; Yankton County Treasurer \$728.50; Zylstra Investigations \$1,860.00. Publishing: Glacial Lakes and Prairie Tourism Association \$185.00; Groton Daily Independent \$181.08; McQuillen Creative Group, Inc \$875.00. Repairs & Maintenance: Big Scoop Snow Removal \$155.00; Dakota Doors \$408.65; Dakota Fluid Power \$490.47; Graham Tire Inc \$1,014.97; House of Glass \$106.12; K&S Plumbing, Inc \$1,174.20; Lawson Products, Inc \$24.85; Meyers Tractor Salvage, LLC \$325.00; Olson's Pest Technicians \$250.00; Precision Kiosk Technologies \$2,700.00; RDO Equipment Co \$3,521.21; Sherwin Williams \$200.30; Woodman Refrigeration, Inc \$1,356.96. Supplies: A & B Business Solutions \$70.00; Aberdeen Chrysler Center \$821.65; Amazon Capital Services, Inc \$615.41; Bakken Building Maintenance \$500.00; Behnke Sand & Gravel \$11,770.46; Bimbo Foods USA, Inc \$882.24; Butler Machinery Company \$90.87; Century Business Products \$295.48; Crawford Trucks & Equipment \$610.95; Dakota Electronics \$1,315.00; Dakota Fluid Power \$3,543.21; Dakota Supply Group \$760.15; East Side Jersey Dairy Inc \$905.96; Fastenal Company \$255.66; Faulkton Drug \$18.95; Geffdog Designs \$25.00; Glacial Lakes and Prairie Tourism Association \$150.00; Great Western Tire \$5,276.83; Hanlon Brothers, LLC \$135,802.89; Interstate Battery System of South Dakota \$406.85; Lawson Products, Inc \$294.39; Lucy Lewno \$19.89; Marco Technologies, LLC \$3,128.82; Menards \$30.80; Midstates Group \$25.76; Pantorium Cleaners Inc \$32.00; PharmChem, Inc \$106.00; Pheasantland Industries \$238.54; Pomp's Tire Service, Inc \$30.50; Pressure Washer Central \$128.26; Quality Welding, Inc \$15.00; Rachel Wilson \$31.85; RDO Equipment Co \$4,101.10; Sherwin Williams \$393.52; US Foods \$10,236.12; Violet Dinger Estate \$13,277.36. Travel & Conference: Aaron Walberg \$222.08; Dave Lunzman \$182.00; Kelsi Vinger \$146.00; South Dakota Historical Society Foundation \$120.00. Utilities: AT&T Mobility \$141.86; CenturyLink \$306.03; Midcontinent Communications \$163.80; Northwestern Energy \$12,179.19; WEB Water Development Association, Inc \$109.32. Machinery & Equipment: Transource Truck & Equipment, Inc \$148,500.00. Others: City of Aberdeen-Rideline \$1,000.00; Glacial Lakes and Prairie Tourism Association \$750.00. 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:

- Employment ending for Cheyenne Neck, Brown County Jail Detention Officer; effective January 26, 2024. Request to fill.
- Approve Sally Swanson, PT Building Service Worker to fill-in as a short-term State's Attorney Administrative Assistant, starting wage \$18.00/hr.; effective February 6, 2024.

All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Wiese to approve the following travel requests: Josh Lee, Sheriff's Office to attend the Tactical Narcotics Debriefing on May 21-23, 2024 in Johnston, IA; Aaron Walberg, VSO to attend Legislative Meeting & Testimony on January 29, 2024 in Pierre; Patricia Kendall, DPM to attend SD State Historical Society Annual Conference on April 4-6, 2024 in Pierre; Brittany Watts, Jail to attend Sex Offender Training on April 9-10, 2024 in Deadwood. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Commissioner Fjeldheim, seconded by Dennert to authorize and approve the Auditor sign the Claim Assignment against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Commissioner Gage, seconded by Wiese to approve and authorize Chairman Sutton to sign the following lease agreement: Reverend John G. Creel with Little Rock Holiness Church for lease of the Richmond Lake Youth Camp on July 8-12, 2024. All members present voting aye. Motion carried.

#### LANDFILL TONNAGE REPORT:

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

**SPECIAL MALT BEVERAGE LICENSE:**

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the application for Special Malt Beverage for Brown County Fair Foundation on Friday, March 29, 2024 at Brown County Holum Expo Building (SW ¼ of Sec 1-T123N-R64W of the 5<sup>th</sup> P.M. of Brown County, SD) for concessions at the Your Town Tour Concert. All members present voting aye. Motion carried.

**ATM CONTRACT FOR BROWN COUNTY FAIR:**

Moved by Commissioner Dennert, seconded by Fjeldheim to approve and authorize Chairman Sutton to sign the agreement, that was recommended by the Brown County Fair Board, with BGT Ventures LLC for ATM Services during the Brown County Fair. Rachel Kippley, Fair Manager commented that if they have the same number of transactions in 2024 as they did in 2023; they would double the amount of revenue. All members present voting aye. Motion carried.

**RETAIL (ON-OFF) MALT BEVERAGE & SD FARM WINE LICENSE TRANSFER HEARING:**

Moved by Commissioner Wiese, seconded by Gage to authorize advertising a public hearing to be held in the Commission Chambers, Courthouse Annex, Brown County, SD on February 27, 2024 to consider the following transfers: Stacy Gossman, DBA Head East to transfer license to G & T Gaming, Inc. DBA: Dakota Players Club – BC located at 5759 Hwy. 12 E. Ste. 2 - Lot 1B Gossman 1<sup>st</sup> Addition, Kessler's Outlot 1 S ½ Sec 15-T123-R63W of 5<sup>th</sup> P.M., Brown County, SD; Stacy Gossman, DBA West Bound to transfer license to G & T Gaming, Inc. DBA: Dakota Players Club – BC located at 5759 Hwy. 12 E. Ste. 3 - Lot 1B Gossman 1<sup>st</sup> Addition, Kessler's Outlot 1 S ½ Sec 15-T123-R63W of 5<sup>th</sup> P.M., Brown County, SD; Stacy Gossman, DBA Up North to transfer license to G & T Gaming, Inc. DBA: Dakota Players Club – BC located at 5759 Hwy. 12 E. Ste. 4 - Lot 1B Gossman 1<sup>st</sup> Addition, Kessler's Outlot 1 S ½ Sec 15-T123-R63W of 5<sup>th</sup> P.M., Brown County, SD. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Commissioner Wiese, seconded by Fjeldheim to go into executive session to discuss Personnel per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

**OTHER BUSINESS:** None

**ADJOURNMENT:**

Moved by Commissioner Dennert, seconded by Wiese to adjourn the Brown County Commission at 10:51 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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