



MARCH 18, 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 Dennert led the Pledge of Allegiance.

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

OPPORTUNITY FOR PUBLIC COMMENT: None

ORDINANCE #290 – FIRST READING: Moved by Commissioner Dinger, seconded by Gage to approve the First Reading of Proposed Ordinance #290. Applicant Brown County Planning & Zoning to rezone from Agriculture Preservation District (AG-P) to Municipal District (M) to bring these parcels into compliance for their current use: Description of property: Lot 1, "First Replat of Dahme Northview Addition" in the SE1/4 of Section 1-T123N-R64W and the SW1/4 of the SE1/4 of Section 1-T123N-R64W of the 5th P.M., Brown County, South Dakota (3015 N Dakota Street & 295 24th Avenue NE, Aberdeen Twp.). All members present voting aye. Motion carried.

ORDINANCE #291 – FIRST READING: Moved by Commissioner Gage, seconded by Dinger to approve the First Reading of Proposed Ordinance #291. Application has been made by Petitioner North Western Energy – Robert Gehm/ Owners: Donald Young and Harlan Young to Rezone Lot 1 and Lot 3 from Agriculture Preservation District (AG-P) to Heavy Industrial District (H-I); Rezone Lot 2 from Multi-Zone District (M-Z) to Agriculture Preservation District (AG-P). The rezones are to bring these three parcels into compliance for a future electric generating station on Lot 1, leaving public utilities on Lot 2, and a future liquefied natural gas plant on Lot 3. Description of properties: Proposed Lot 1, Lot 2, and Lot 3, "NWE Generation Addition" in Section 25-T123N-R64W of the 5th P.M., Brown County, South Dakota. (Lot 1 = 440 SW 135th St; Lot 2 = 270 SW 135th St; Lot 3 = 90 SW 135th St; Aberdeen Twp.). All members present voting aye. Motion carried.

BROWN COUNTY FAIR CONTRACTS: Rachel Kippley, Fair/Fairgrounds/Parks Manager presented Brown County Fair Contracts asking for approval and authorizing Chairman to sign them for Avery Anna, Uncle Kracker, 38 Special and Redferrin. Moved by Commission Dennert, seconded by Dinger to approve the following the 2025 Brown County Fair Contracts: Avery Anna to perform on Wednesday, August 13 for \$25,000.00; Uncle Kracker to perform on Friday, August 15th for \$40,000.00; 38 Special to perform on Friday, August 15th for \$75,000.00; and Redferrin to perform on Saturday, August 16th for \$20,000.00. All members present voting aye. Motion carried.

BROWN COUNTY JUNIOR FAIR BOARD MEMBERS: Rachel Kippley, Fair/Fairgrounds/Parks Manager asked for the Commission to approve the list of Junior Fair Board Members for 2025 Brown County Fair that she presented. Rachel shared that they go through an interview process, the parents sign off on have a release of liability, if they are returning member, they don't go through the interview process because they have proven they can handle the workload. Commissioner Dinger asked for Rachel to share what their roles are: Rachel informed them that the members are given a list of committees and then they rank them based on their interests; then Fair Board tries to match them with projects they are interested in, which doesn't always happen but the kids are willing to learn and try new things; they work right alongside the Fair Board Members, they have an app they use to inform them of projects and when having a work day, etc.; in the past they have required 50 hours but they are changing that up this year a little bit (Ex. Driving in fence posts for an hour could be equivalent to 5 hours of sitting on the computer sometimes) then they receive a list of activities to help with during Fair week, which is immensely helpful because they never have enough volunteers for all the slots. Commissioner Sutton commented a good way to groom future Fair Board Members. Commissioner Gage mentioned they were behind doing the hot dog eating contest last year. Moved by Commissioner Dinger, seconded by Gage to approve the following Junior Fair Board Members: First Year Members: Iszabell Helm, Addison Hoeft, Kylee Hoffman, Briella Klipfel, Paisley Mitchell and Taryn Thompson; Second Year Members: Jax Holmes, Amara Klipfel, and Gentry Pigors; Third Year Members: Noah Kippley, Titus Kippley, Payton Mitchell and Sascha Usselman. All members present voting aye. Motion carried.

FAIRGROUNDS UPDATE: Rachel Kippley, Fair/Fairgrounds/Parks Manager shared a Thank-You to the Highway Department for hauling gravel out to the four main roads in the primitive area and working on some drainage there also. They are also prepping the site for the new Small Animal Barn. Rachel informed them some people stepped forward to help them out with the wash rack at the Beef Barn, when they looked at replacing them it would cost \$200,000.00 so what they are doing is the precast concrete blocks to do the wall and have some partnerships to do a chunk of it, won't be the whole thing but will be a huge improvement.

DISCUSS OPTIONS FOR PRECINCTS: Lynn Heupel Auditor shared four different maps with possible options that Scott Madsen, GIS Coordinator helped her with based on census data and trying to lower the number of precincts within City of Aberdeen due to response from SB 103, which would eliminate Counties being able to use Vote Centers on Election Day. The bill was presented to the Senate State Affairs Committee during Legislative Session, which was passed and sent to the floor. The Senate floor voted it down 13 yays – 22 nays. So, in response to this Auditor Heupel and the Commission have been discussing reducing the number of precincts only within the City of Aberdeen. Brown County currently has 22 precincts and 11 of those precincts are within the City of Aberdeen. Rich Hilgeman, Chairman for the Brown County Republicans was in attendance and voiced concerns by reducing the number of precincts that is less Committeeman and Committeewomen the Republican Party would have at State Convention. Commissioner Gage asked for clarification that it doesn't affect the number of votes that Brown County receives, Rich responded no it does not. Commissioners Gage and Sutton were in favor of Option #3, where it would reduce the precincts to 4, followed the Aberdeen City Council Boundaries/Districts and the number of people were as follows: Precinct 1 = 6981; Precinct 2 = 7208; Precinct 3 = 7148; Precinct 4 = 7146. Commissioner Dennert and Rich Hilgeman were in favor of Option #4, reduce the precincts to 6, combining some of the smaller precincts and the number of people were as follows: Precinct 1 = 3451; Precinct 2 = 4708; Precinct 3 = 5103; Precinct 4 = 5017; Precinct 5 = 5099; Precinct 6=5105. Senator Perry commented that he would like to see things left as they are since the bill didn't pass; Representative Novstrup mentioned he agreed with Senator Perry. No decision has to be made right now, if the Commission decides to change the number of precincts, it needs to be done with a Resolution and at least 100 days before an Election. Maps are available to view at the Brown County Auditor's Office during normal business hours.

MINUTES: Moved by Commissioner Dinger, seconded by Gage to approve the General Meeting Minutes of March 11, 2025. All members present voting aye. Motion carried.

CLAIMS: Moved by Commissioner Gage, seconded by Dennert to approve the following claims: Professional Fees: Avera Medical Group Radiology \$33.21; Avera St. Lukes \$123.57; Avera St Lukes Hospital \$2,446.19; CGI LLC \$117.19; Christy Griffin-Serr Law Office \$1,020.00; Cogley Law Office \$240.00; Dependable Sanitation Inc \$26,290.80; IMEG Corp \$5,000.00; Jerald M. McNeary \$444.00; Kelli Lardy \$901.60; Lenling Law Office \$640.00; Lewis & Clark BHS \$225.00; Northeastern Mental Health Center \$936.25; Sanford Health Occupational Medicine \$675.00; Sanford Health \$2,434.29; Spitzer Miller Funeral Home \$1,800.00; Taliaferro Law Firm PC \$4,260.00; Yankton County Treasurer \$50.00; Yankton Medical Clinic \$528.02; Zylstra Investigation \$1,965.00. Publishing: Groton Daily Independent \$416.99; McQuillen Creative Group Inc \$64.68. Rentals: Vestis \$266.48. Repairs & Maintenance: Frederick Fire Department \$2,000.00; Kirk's Auto \$37.55; Pierson Ford Lincoln Inc \$537.41; Pomp's Tire Service Inc \$260.54; Premier Auto \$659.10; Safety Service \$1,265.30; Steven Lust Automotive \$107.67; Valvoline Inc \$37.84; Western States Fire Protection \$1,550.00. Supplies: Advance Auto Parts \$426.36; Amazon Capital Services Inc \$142.84; Avera LTC Pharmacy \$7.48; Big State Industrial Supply Inc \$452.64; Bob Barker Company Inc \$471.28; Brown County Sheriff's Office \$4.28; Central Network Retail Group LLC \$1,198.85; Century Business Products \$971.53; Cole Papers Inc \$1,687.34; Dakota Oil \$655.05; Kirk's Auto \$35.28; Menards \$9.97; Midstates Group \$56.25; NVC \$29.42; Pantorium Cleaners \$540.00; Performance Oil \$431.90; Pierson Ford Lincoln Inc \$366.94; Safety Service \$500.00; Schwan Welding \$345.24; Valvoline Inc \$87.92. Travel & Conference: SD Assoc of County Commissioners \$20.00. Utilities: CenturyLink \$582.61; City of Aberdeen Treasurer \$855.67; City of Hecla \$238.22; Dependable Sanitation Inc \$184.00; Northern Electric \$93.50; Northwestern Energy \$4,254.48; NVC \$3,131.86; State of South Dakota PMB 0112 \$123.52; Verizon Wireless \$2,316.31. Others: Grand Jury Participants \$163.18; Office of Child & Family Services \$10,646.50; SD Assoc of County Officials \$590.00. All members present voting aye. Motion carried.

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

- o Resignation of Joshua Walberg, Brown County Chief Deputy Auditor; FT – effective March 11,

2025. Request to fill.

o Promotion of Jerry Bjerke from Brown County Highway Truck Driver to Brown County Road & Bridge Crew Leader, FT; starting wage \$24.21/hr. – effective March 16, 2025.

o Adding the following volunteer bar tenders to the approved list of Work Comp Purposes:

- Roxie Bjorklund
- Val Daschel
- Jo Miller
- Jane Johnson

o Adding the following Jr. Fair Board Members to the approved list for Work Comp Purposes:

- Iszabell Helm
- Addison Hoeft
- Kylee Hoffman
- Jax Holmes
- Noah Kippley
- Titus Kippley
- Amara Klipfel
- Briella Klipfel
- Paisley Mitchell
- Payton Mitchell
- Gentry Pigors
- Taryn Thompson
- Sascha Usselman

All members present voting aye. Motion carried.

TRAVEL REQUESTS: Moved by Commissioner Dennert, seconded by Dinger to approve the following Travel Requests: C. Scott Bader from Planning & Zoning to attend SD Planners Assoc. “West River Talks” Mini-Conference in Spearfish, SD on March 12, 2025; Ryan McClain & James Marnette, Brown County Jail to attend Statewide 24-7 Sobriety Program Training in Oacoma, SD on May 14-15, 2025; Jon Lemke & Keith Baker, Sheriff’s Office to attend 2025 SD Sheriff’s Conference in Deadwood, SD on April 14-16, 2025; Dirk Rogers, Highway Superintendent to attend Short Course in Deadwood, SD on March 18-20, 2025; Jon Florey & Nick Juenger to attend ATSSA Conference in Fargo, ND on March 17-19, 2025. All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS: Moved by Commissioner Gage, seconded by Dinger 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.

LEASE AGREEMENT: Moved by Commissioner Dennert seconded by Dinger to approve and authorize Chairman Sutton to sign the following Lease Agreement: Aberdeen Area Humane Society for lease of Holum Expo Building on May 2-3, 2025, for the Spring Second Paw Sale. All members present voting aye. Motion carried.

OTHER BUSINESS: Senator Perry shared that HB 1052 was signed by the Governor to protect the property rights for the landowners and keep the local control.

Chairman Sutton shared he serves on the 911 Coordination Board; on behalf of the Coordination Board, he wanted to thank all the Legislatures for their overwhelming support of SB 37 that eliminate the sunset on the 911 surcharge. Then told them if they are open to touring our 911 Call Center, they would gladly show it to them.

District 3 Representative Novstrup shared that they fully funded the Restoration of the Richmond Dam. Another interesting fact was in the past, they would be delivering the General Bill – Appropriations on day 40, late at night. This year it was delivered on day 35 and that is the first time in history. Representative Novstrup also shared that they were talking about cutting the maintenance & repair on state buildings – meaning campuses; proposal was to cut in half to balance the budget but instead they ended up allocating an extra \$11 Million, which will be good for Northern State University.

Senator Perry also mentioned that SD Public Broadcasting was going to see funding cut but we the Legislators were able to put that back in as well. He commented that District 3 Representative Schaefer had a couple good bills that passed as well, and it was a good successful year for the Legislators.

Carson Stange from Stratford to discuss drain tile regulations. Scott Bader, Planning & Zoning Director stated we do not permit drain tile. Carson asked if they all agreed that there is no regulation. Chairman Sutton stated that since nothing on the books means they felt it was up to the landowners, Scott said it was a decision made in the past by the Commission. Carson encouraged them to put some regulations on and have a conversation about it and invited the Commissioners to come out to his place and discuss why there should be some regulations because the downstream landowners have rights too. Carson knows it is a big task to regulate it because he has looked into it and how other counties are handling it. Commissioner Dennert took his contact information and Chairman Sutton encouraged him to meet with Scott to discuss his suggestions or ideas, then Scott could determine whether to bring to the Commission or not.

Rachel Kippley, Fair/Fairgrounds/Parks Manager wanted to get the Commissions thoughts on having a campground host volunteer spot, like the State Parks. They are allowed to stay for free, check in campers, check the bathrooms, and do things like that. Since no one was opposed, they will do some research and put something together.

EXECUTIVE SESSION: Moved by Commissioner Gage, seconded by Dennert to go into Executive Session for Personnel, Legal and Contracts 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 Gage, seconded by Dennert to adjourn the Brown County Commission at 10:25 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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MARCH 25, 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, Sutton and Wiese. Commissioner Gage led the Pledge of Allegiance.

APPROVAL OF AGENDA: Chairman Sutton informed the Commission there was a lease agreement to add to the consent calendar, then asked for approval of the amended agenda. Moved by Commissioner Dennert, seconded by Dinger to approve the amended agenda. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT: None

BID – WOOD WASTE GRINDING: Time and place, as advertised to open, read and consider bids for 2025 Wood Waste Grinding for the Brown County Landfill. One bid was received from Dakota Wood Grinding at \$800.00/hour and \$2,700.00 Mobilization (Mob). Mike Scott, Landfill Manager recommended accepting this bid. Moved by Dinger, seconded by Gage to award the Wood Waste Grinding Bid to Dakota Wood Grinding at \$800.00/hour and \$2,700.00 for Mob. All members present voting aye. Motion carried.

BID – WASTE TIRE REMOVAL: Time and place, as advertised to open, read and consider bids for 2025 Brown County Waste Tire Cleanup at the Landfill. Two bids were received: Saber Shred in the amount of \$214.00/ton and Liberty Tire in the amount of \$214.50/ton. Mike Scott, Landfill Manager recommended accepting the bid from Saber Shred. Moved by Dennert, seconded by Wiese to award the Waste Tire Removal bid to Saber Shred in the amount of \$214.00/ton. All members present voting aye. Motion carried.

WAIVE FEES FOR RESIDENTIAL SPRING CLEAN-UP: Mike Scott, Landfill Manager asked the Commission to waive the Tipping Fees at the Brown County Landfill during the Residential Spring Clean-up from April 25 to May 10, 2025; 4 Tire Car or Pickup Limit. Moved by Commissioner Wiese, seconded by Gage to approve waiving the Tipping Fees during the Spring Residential Clean-up from April 25 – May 10, 2025. All members present voting aye. Motion carried.

PICKUP PURCHASES FOR LANDFILL: Mike Scott, Landfill Manager presented the Commission with two pickups that he wants to purchase from Pierson Ford, which are willing to match the State Bid for the Landfill. One is a One-Ton Pickup/F350 for \$68,671.00 to replace pickup with 233,000 miles; second one is for a Half-Ton Pickup/F150 for \$48,536.00 to replace the pickup with 165,000 miles on it. One will be going from a gas to a diesel because of the efficiency and number of miles that are put on the vehicle. Moved by Commissioner Wiese, seconded by Dennert to approve purchasing the One-Ton F350 Pickup for \$68,671.00 and Half-Ton F150 Pickup for \$48,536.00 from Pierson Ford. All members present voting aye. Motion carried.

LANDFILL DEPARTMENT UPDATE: Mike Scott, Landfill Manager informed the Commission that he has a Grant Hearing on Thursday, March 27th for Landfill Compactor and Cell Construction. Mike shared that he will be at calling in from Helms Office if any Commissioners want to join them, the hearing is being held in Pierre. Mike enlightened the Commission, that the Compactor is going to be around \$1 Million, so hoping there will be some grant funds available to purchase it. The last compactor was purchased in 2019, and they are pushing 10,000-hour mark on that one, which at that time cost \$678,949.00. There are two vendors, compactor dealers: Cat & Bomag (TranSource). Mike stated he will be back in after the hearing, probably within two-weeks so they can get something purchased, lead time is currently 3 to 6 months.

BID- CHEMICALS FOR WEED & PEST: Time and place, as advertised to open, read and consider bids for furnishing of chemical for the Brown County Weed & Pest Board for 2025. Bids were received from Van Diest, Supply Company, Nutrien and Adapco plus State Bid. Chris Hemen, Weed & Pest Supervisor asked to postpone the decision, so he had time to review all the prices on the different chemicals. Chris had not returned by the end of the meeting with a recommendation, so decision was postponed until next week.

SURPLUS PROPERTY: Chris Hemen, Weed & Pest Supervisor requested to surplus 3 data loggers and 6 flow meters and dispose of them at the Landfill. Moved by Commissioner Wiese, seconded by Gage to declare the 3 data loggers and 6 flow meters as surplus and be disposed of at the Landfill. All members present voting aye. Motion carried.

RESOLUTION #2025-15 – LIEN SETTLEMENT

Commissioner Wiese offered the following Resolution

RESOLUTION #2025-15

RELEASE OF PROPERTY-LIEN SETTLEMENT

WHEREAS, Brown County has filed a Poor Relief Lien in the total amount of \$7,042.38, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, on condition that \$7,042.38 is paid per contract with Welfare Office, and

WHEREAS, Brown County will write-off the County Appointed Attorney lien in the amount of \$1,012.00 from said property

NOW, THEREFORE BE IT RESOLVED that the following property in Brown County, SD which is described as follows:

E 63' LT 12 BK 20 1st ADD and W 79' LT 12 BK 20 1st ADD, Brown County, SD (315-317 2nd Ave. SW, Aberdeen)
will hereby released from the effect and force of said lien, on condition that \$7,042.38 is paid per contract with the Welfare Office.

Dated this 25th day of March 2025.

Seconded by Commissioner Gage. Roll call vote: Commissioners Dennert-aye; Dinger-aye; Gage-aye; Sutton-aye and Wiese-aye. Resolution adopted.

MINUTES: Moved by Commissioner Dinger, seconded by Dennert to approve the General Meeting Minutes of March 18, 2025. All members present voting aye. Motion carried.

CLAIMS/PAYROLL: Moved by Commissioner Gage, seconded by Dinger to approve the following claims/payroll: Claims: Professional Fees: Blackburn & Stevens, Prof LLC \$372.73; Brick's TV and Appliance \$1,788.75; CenturyLink-Lumen \$214.97; Certified Languages International LLC \$1,074.15; Christy Griffin-Serr Law Office \$360.00; Cogley Law Office \$528.00; Dakota Group LLC \$2,500.00; Gellhaus & Gellhaus \$320.00; John Noyes – Bantz, Gosch & Cremer \$2,340.00; Kuck Law Office \$3,534.00; Lauren Nikolas \$1,000.00; Lenling Law Office \$1,080.00; Lucy Lewno \$192.00; Mark Katterhagen \$20.00; Matthew Bender & Co., Inc \$115.43; Northern State University \$112.50; RegistrationMax, LLC \$750.00; Sanford Health Occupational Medicine \$588.00; SD Department of Health \$580.00; Valerie Larson \$20.00. Publishing: Groton Daily Independent \$35.26; McQuillen Creative Group, Inc \$619.19; West River Eagle \$21.63. Rentals: Advantage Self Storage \$276.00. Repairs & Maintenance: Auto Glass Solutions, Inc \$45.00; B&B Contracting, Inc \$8,025.00; Leidholt Electric, LLC \$1,513.52. Supplies: Aberdeen Downtown Association \$250.00; Amazon Capital Services, Inc \$393.14; Applied Concepts, Inc \$13,807.50; Avera LTC Pharmacy Aberdeen \$6,286.16; Bob Barker Company Inc \$2,549.88; Brown County Treasurer \$2,100.00; Central Network Retail Group LLC \$738.96; Cole Paper Inc \$1,059.66; Cook's Correctional \$93.37; Division of Motor Vehicles \$7.50; Geffdog Designs \$340.32; Gellhaus & Gellhaus \$80.00; Hanlon Brothers, LLC \$167,853.62; John Noyes – Bantz, Gosch & Cremer \$49.22; Kuck Law Office \$98.09; Lang's Audio, TV & Appliance \$689.99; Lauren Nikolas \$446.38; Leidholt Electric, LLC \$223.09; Lucy Lewno \$6.73; Matthew Bender & Co., Inc \$115.43; Menards \$139.96; Ryan McClain \$108.32; Safety Service \$167.48; Thomson-Reuters – West Payment Center \$1,951.46; Valstone Corporation Inc \$125.79; Violet Dinger Estate \$40,408.56; Woodman Refrigeration, Inc \$282.67. Travel & Conference: Scott Bader \$476.17; Carrie Weisenberger \$49.05; Dale Kurth \$160.41; David North \$150.36; Heartland Critical Incident Stress Management Network \$210.00; James Meyers \$30.15; Lenling Law Office \$40.00; Lynn Heupel \$100.03; Mariann Malsom \$97.08; Patrick Keatts \$48.72; Paul Johnson \$132.27; Sarah Jesz \$213.06; SD Association of County Officials \$125.00; SD Narcotics Officers Association \$100.00; Stan Beckler \$26.13. Utilities: Dependable Sanitation, Inc \$396.00; Leidholt Electric, LLC \$589.43; T-Mobile USA Inc \$2,150.40; Verizon Wireless \$1,357.74. Others: Clinton Sanger \$79.09; Justin Feyereisen \$12.77; Lisa or James Kiesz \$79.07; Tony Arampatzis \$79.07; Jury Duty Participants \$5,704.54.

Payroll: Commission \$4,896.51; Elections \$1,936.80; Auditor \$15,677.89; Treasurer \$18,293.95; SA \$36,600.93; Maintenance \$12,549.95; Assessor \$16,592.03; Register of Deeds \$10,905.92; VSO \$4,741.87; GIS \$2,946.49; IT \$10,005.68; HR \$5,438.85; Sheriff \$51,442.95; Jail \$77,553.59; Coroner \$1,000.00; Court Security \$7,183.11; JDC \$34,307.22; Welfare \$2,604.27; Museum \$12,971.23; Parks/Fairgrounds \$6,777.68; Fair Board \$3,626.66; 4-H \$877.20; Weed \$1,179.67; Planning & Zoning \$8,062.16; Highway \$54,775.15; Dispatch \$39,144.50; Emergency \$5,413.36; 24/7 Sobriety \$2,697.54; Landfill \$18,581.83; Meal Benefits \$98.00; SDRS Pay-out \$915.84; FICA \$27,887.88; Medicare \$6,522.17; Discovery-HSA \$5,025.47; Health Insurance-Wellmark BCBS \$128,168.19; Dental Insurance-Delta \$9,071.04; Life Insurance-Dearborn \$1,077.80 and Retirement-SDRS \$59,296.31. All members present voting aye. Motion carried.

LEASE AGREEMENT: Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the following Lease Agreement: Brown County Fair Foundation for lease of Holum Expo Building on March 29, 2025, for the Hall of Fame Banquet. 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:

- Governor granted the following State Holidays off: Good Friday, April 18, 2025, and Easter Monday, April 21, 2025.

All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS: Moved by Commissioner Gage, seconded by Wiese 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.

AUDITOR REPORT OF ACCOUNTS FOR JANUARY 2025: Moved by Commissioner Dinger, seconded by Wiese to approve the Auditor's Report of Accounts for January 2025: Total Cash and Checks on Hand \$7,700.00; Total Checking Account Balances \$21,787,100.21; Total Savings Account Balances \$1,190,447.42; Total Certificates of Deposit: \$9,173,681.71; Grand Total Cash and Balances: \$32,158,929.34. General Fund Cash & Investment Balances by Funds: General Fund \$19,683,631.86; Road & Bridge Fund \$1,054,784.39; Road & Bridge Fund-Restricted \$231,883.27; 911 Service \$914,280.59; Emergency & Disaster \$54,504.47; Domestic Abuse \$404.79; Federal/State Grant \$32.11; SA Grants \$122,615.61; Truancy Court \$135.68; 24/7 Sobriety \$29,304.05; ROD M&P \$88,285.51; Rural Access Infrastructure \$559,577.54; TIF Debt Service \$59,888.97; Landfill + Cash Change \$6,822,046.63; Landfill-Restricted \$1,894,495.06; Trust & Agency Funds \$2,769,434.14; Grand Total General Fund Cash & Investments \$32,158,929.34. All members present voting aye. Motion carried.

ABATEMENT: Moved by Commissioner Gage, seconded by Dennert to approve the following abatement: Abatement for Tax Yr. 24PY25: Parcel #32024 - \$98.99. All members present voting aye. Motion carried.

TRAVEL REQUESTS: Moved by Commissioner Dinger, seconded by Wiese to approve the following Travel Requests: Mariann Malsom, Register of Deeds and Patty VanMeter, Treasurer to attend Lake Region District Meeting in Waubay on March 20, 2025; Mariann Malsom, Register of Deeds to attend New Officials Workshop in Pierre on April 9-10, 2025; Mariann Malsom, Register of Deeds to attend SDACO Spring Workshop in Pierre on May 13-15, 2025; Patricia Kendall, Brandon Duxbury and Marianne Marttila-Klipfel from Museum to attend SD Historical Society Annual History Conference in Deadwood on May 7-9, 2025. All members present voting aye. Motion carried.

LOTTERY PERMIT: Moved by Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the application submitted by Brown County Fair Foundation for a lottery to be held on March 29, 2025, at the Hall of Fame Banquet. 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 zoning ordinances to be held on April 15, 2025, in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. Proposed Ordinance #292, applicant Donald & Jolene Bonn for the purpose of rezoning from Mini-Agriculture District (M-AG) to Lake Front Residential District (R-3) to bring this parcel into compliance for its current use: Description of property: Lot 6, "Greg Hoffman Addition" in the E1/2 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126979 West Shore Drive, Ravinia Twp.). Proposed Ordinance #293, applicant Donald & Becky Wegleitner for the purpose of rezoning 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: The E 42.5 Rods of the S 77.75 Rods in the NE1/4 of Section 4-T125N-R60W of the 5th P.M., Brown County, South Dakota (11831 409th Avenue, Claremont Twp.).

All members present voting aye. Motion carried.

YOUNG FAMILY FIRST ADDITION PLAT:

RESOLUTION #2025-16

Commissioner Dennert brought the following resolution "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing Young Family First Addition in the NE ¼ of Section 34-T121N-R63W 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 Dinger. All members present voting aye. Resolution adopted.

YOUNG FAMILY SECOND ADDITION PLAT:

RESOLUTION #2025-17

Commissioner Dinger brought the following resolution "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing Young Family Second Addition in the South 820 Feet of the SW ¼ of Section 26-T121N-R63W 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 Gage. All members present voting aye. Resolution adopted.

OTHER BUSINESS: None

EXECUTIVE SESSION: Moved by Commissioner Wiese, 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 Wiese, seconded by Dennert to adjourn the Brown County Commission at 9:52 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

Published April 2, 2025, at the total approximate cost of \$145.97 and may be viewed free of charge at www.sdpublicnotices.com. 25432

BONN REZONING NOTICE

Application has been made by Donald & Jolene Bonn to the Brown County Board of Commissioners for a change of zoning. Hearing to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota on April 15, 2025 for the purpose of rezoning the following property from Mini-Agriculture District (M-AG) to Lake Front Residential District (R-3) bring this parcel into compliance for its current use:

Description of property: Lot 6, "Greg Hoffman Addition" in the E1/2 of Section 14-T124N-R65W of the 5th P.M., Brown County, South Dakota (126979 West Shore Drive, Ravinia Twp.).

The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 292.

ATTEST: Lynn Heupel, Brown County Auditor

Published April 2, 2025, at the total approximate cost of \$11.65 and may be viewed free of charge at www.sdpublicnotices.com. 25433

WEGLEITNER REZONING NOTICE

Application has been made by Donald & Becky Wegleitner to the Brown County Board of Commissioners for a change of zoning. Hearing to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota on April 15, 2025 for the purpose of rezoning the following property 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: The E 42.5 Rods of the S 77.75 Rods in the NE1/4 of Section 4-T125N-R60W of the 5th P.M., Brown County, South Dakota (11831 409th Avenue, Claremont Twp.).

The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 293.

ATTEST: Lynn Heupel, Brown County Auditor

Published April 2, 2025, at the total approximate cost of \$11.65 and may be viewed free of charge at www.sdpublicnotices.com. 25434

NOTICE OF HEARING OF ORDINANCE AMENDMENTS

Application has been made to the Brown County Planning/Zoning Commission for proposed Ordinance Amendments. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex, on April 15, 2025, at 7:00 P.M.

Petitioner: Brown County Planning & Zoning Department

Reason: Amendments to Brown County Ordinances in portions of Title 4

Chapter 4.01 Definitions:

Chapter 4.06 Agriculture Preservation District (AG-P)

Chapter 4.16 Heavy Industrial District (H-I)

The public is invited to attend the hearing and to present comments and testimony regarding any proposed amendments in portions of Brown County Ordinances.

Dated this 2nd day of April 2025.

Planning/Zoning Commission and Scott Bader – P&Z Director
25 Market Street

Aberdeen, SD 57401
Office: (605) 626-7144
Published April 2, 2025 in "The Groton Independent," at the total approximate cost of \$11.65 and may be viewed free of charge at www.sdpublicnotices.com. 25435

JOHNSON VARIANCE NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex, on April 15, 2025, at 7:00 P.M.

Petitioner/Owner: Arlyn Johnson

Description of property: Lots 5-10, Block 3, "Original Plat of Columbia" in the SE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (107 Lake Blvd., City of Columbia).

Reason: A Variance to Building Setbacks in a Rural Urban District (RU) to have a 0'-0" East Front Yard Setback rather than the 25'-0" Setback required & a 0'-0" North Side Yard Setback rather than the 7'-0" Setback required by Brown County Ordinance to bring the existing house & shop building & new 30'x30' garage into compliance.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 2nd day of April 2025

Planning/Zoning Commission and

Scott Bader – P&Z Director

25 Market Street

Aberdeen, SD 57401

Office: (605) 626-7144

Published April 2, 2025 in "The Groton Independent," at the total approximate cost of \$14.41 and may be viewed free of charge at www.sdpublicnotices.com. 25436

MONSON VARIANCE NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex on April 15, 2025, at 7:00 P.M.

Petitioner/Owner: Adam Monson

Description of property: "Ellingson's Outlot 1" in the SW1/4 of Section 33-T121N-R61W of the 5th P.M., Brown County, South Dakota (14788 402nd Avenue, Garden Prairie Twp.).

Reason: A Variance for Building Setbacks in a Future Mini-Agriculture District (M-AG) to have a 30'-0" West Front Yard Setback rather than the 100'-0" Setback required by Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 2nd day of April 2025

Planning/Zoning Commission and

Scott Bader – P&Z Director

25 Market Street

Aberdeen, SD 57401

Office: (605) 626-7144

Published April 2, 2025 in "The Groton Independent," at the total approximate cost of \$12.88 and may be viewed free of charge at www.sdpublicnotices.com. 25437

FLASHROCK ENTERPRISES VARIANCE NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex, on April 15, 2025, at 7:00 P.M.

Petitioner / Owner: Flashrock Enterprises LLC

Description of property: "U.P.C. First Addition" in the SW1/4 of Section 15-T123N-R63W of the 5th

P.M., Brown County, South Dakota (5225 E Highway 12; Bath Twp.).

Reason: A Variance for Building Setbacks in a Highway Commercial District (HC) to have a 10'-0" North Rear Yard Setback and to have a 10'-0' East Side Yard Setback rather than the 25'-0" Setback required by Brown County Zoning Ordinances.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 2nd day of April 2025
Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144

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SERR REZONING NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex on April 15, 2025, at 7:00 P.M.

Petitioner: Timothy & Kelly Serr

Description of property: Lot 5, "Keatts Third Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota (127160 West Bridge Road, Ravinia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 2nd day of April 2025.
Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144

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MONSON REZONING NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex on April 15, 2025, at 7:00 P.M.

Petitioner: Adam Monson

Description of property: "Ellingson's Outlot 1" in the SW1/4 of Section 33-T121N-R61W of the 5th P.M., Brown County, South Dakota (14788 402nd Avenue; Garden Prairie Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 2nd day of April 2025.
Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street

Aberdeen, SD 57401
Office: (605) 626-7144
Published April 2, 2025 in "The Groton Independent," at the total approximate cost of \$14.72 and may be viewed free of charge at www.sdpublicnotices.com. 25440

LONG VARIANCE NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex, on April 15, 2025, at 7:00 P.M.

Petitioner / Owner: John Long

Description of property: Lot 27, Block 1, "Pleasant Valley Estates" in the SE1/4 of Section 30-T124N-R64W of the 5th P.M., Brown County, South Dakota (12874 Pleasant Valley Drive E, Lincoln Twp.).

Reason: A Variance for Building Setbacks in a Mini-Agriculture District (M-AG) to have a 20' South Yard Setback rather than the 45' Setback required in Brown County Zoning Ordinances to avoid a natural drain field for a proposed 16'x12' storage shed.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance request.

Dated this 2nd day of April 2025
Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144

Published April 2, 2025 in "The Groton Independent," at the total approximate cost of \$13.49 and may be viewed free of charge at www.sdpublicnotices.com. 25443

SAHLI REZONING NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex on April 15, 2025, at 7:00 P.M.

Petitioner: Jeffery & Tamara Sahli

Description of property: "Meyer's Outlot 1 to Millers Richmond Lake Subdivision" in the SW1/4 of Section 19-T124N-R64W of the 5th P.M., Brown County, South Dakota (382228 Spillway Drive; Lincoln Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Lake Front Residential District (R-3) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 2nd day of April 2025.
Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144

Published April 2, 2025 in "The Groton Independent," at the total approximate cost of \$15.33 and may be viewed free of charge at www.sdpublicnotices.com. 25441

STATE OF SOUTH DAKOTA: TO: Zulma Martinez-Troche

COUNTY OF BROWN

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IN CIRCUIT COURT

FIFTH JUDICIAL CIRCUIT

A&N 24-108

NOTICE OF REVIEW HEARING

THE PEOPLE OF THE STATE OF SOUTH DAKOTA IN THE INTEREST OF

L. G. AND Z. G. M., MINOR CHILDREN, AND CONCERNING ANGELA TERESA GAUTHIER CARDONA, LOUIS GAUTHIER SR., AND ZULMA MARTINEZ- TROCHE RESPONDENTS,

TO: Zulma Martinez-Troche

Please take notice and be advised that the above-entitled matter has been scheduled for REVIEW HEARING on the 28th day of May, 2025, from the hours of 9:45 a.m. of said day, before the Honorable Circuit Court Judge Julie Dvorak, at the Brown County Courthouse, Aberdeen, South Dakota.

Dated this 31st day of March, 2025.

/s/ Kara Nelson, Deputy

Brown County States Attorney

Published April 2, 2025, at the total approximate cost of \$11.34 and may be viewed free of charge at www.sdpublicnotices.com. 25444

REICH REZONING NOTICE OF HEARING

A PETITION to REZONE has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Basement Community Room, Brown County Courthouse Annex on April 15, 2025, at 7:00 P.M.

Petitioner: Shane Reich

Description of property: Lot 2, "Keatts Third Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota (127070 West Bridge Road, Ravinia Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the meeting dates with the Brown County Auditor.

Dated this 2nd day of April 2025.

Planning/Zoning Commission and

Scott Bader – P&Z Director

25 Market Street

Aberdeen, SD 57401

Office: (605) 626-7144

Published April 2, 2025 in "The Groton Independent," at the total approximate cost of \$14.72 and may be viewed free of charge at www.sdpublicnotices.com. 25442

STATE OF SOUTH DAKOTA TO: Dori Lloyd

COUNTY OF BRO!N

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IN CIRCUIT COURT

FIFTH JUDICIAL CIRCUIT

A&N 24-70

NOTICE OF REVIEW HEARING

THE PEOPLE OF THE STATE OF SOUTH DAKOTA IN THE INTEREST OF

A. 1., MINOR CHILD,

AND CONCERNING

DORI LLOYD AND RAYNARD LEBEAU, RESPONDENTS.

TO: Dori Lloyd

Please take notice and be advised that the above-entitled matter has been scheduled for a REVIEW HEARING on the 26th day of June 2025, at the hour of 9:00 a.m. of said day, before the Honorable Circuit Court Judge Julie Dvorak, at the Brown County Courthouse, Aberdeen, South Dakota.

Dated this 1st day of April, 2025.

Karla Nelson, Deputy

Brown County States Attorney

Published April 2, 2025, at the total approximate cost of \$10.42 and may be viewed free of charge at www.sdpublicnotices.com. 25449

STATE OF SOUTH DAKOTA TO: Laura Scholz

COUNTY OF BROWN

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IN CIRCUIT COURT

FIFTH JUDICIAL CIRCUIT

A&N 23-7

NOTICE OF REVIEW HEARING

THE PEOPLE OF THE STATE OF SOUTH DAKOTA IN THE INTEREST OF

M.N., MINOR CHILD,

AND CONCERNING LAURA LEE SCHOLZ AND JESSE NIKODYM, RESPONDENTS,

TO: Laura Scholz

Please take notice and be advised that the above entitled matter has been scheduled for a REVIEW HEARING on the 15th day of September, 2025, at the hour of 1:45 p.m. of said day, before the Honorable Circuit Court Judge Julie Dvorak, at the Brown

County Courthouse, Aberdeen, South Dakota.

Dated this 1st day of April, 2025.

Karla Nelson, Deputy

Brown County States Attorney

Published April 2, 2025, at the total approximate cost of \$10.73 and may be viewed free of charge at www.sdpublicnotices.com. 25450

STATE OF SOUTH DAKOTA TO: Kaitlyn Hoerner

COUNTY OF BROWN

SS

IN CIRCUIT COURT

FIFTH JUDICIAL CIRCUIT

A&N 25-8

NOTICE OF CONTINUED ADVISORY HEARING

THE PEOPLE OF THE STATE OF SOUTH DAKOTA IN THE INTEREST OF

E. H. MINOR CHILD, AND CONCERNING KAITLYNN NICOLE HOERNER AND UNKNOWN FATHER, RESPONDENTS.

TO: Kaitlyn Hoerner

Please take notice and be advised that the above-entitled matter has been scheduled for a CONTINUED ADVISORY HEARING on the 23rd day of April, 2025, at the hour of 8:45 a.m. of said day, before the Honorable Circuit Court Judge Julie Dvorak, at the Brown County Courthouse, Aberdeen, South Dakota.

Dated this 2nd day of April, 2025.

Karla Nelson, Deputy

Brown County States Attorney

Published April 2, 2025, at the total approximate cost of \$10.73 and may be viewed free of charge at www.sdpublicnotices.com. 25451