

Notice of Hearing: _____
Date of Hearing: _____
Date Adopted: _____
Date Published: _____
Date Effective: _____

RESOLUTION NO. _____

A RESOLUTION DECLARING THE BROCKHOUSE ANIMAL COLLECTION SURPLUS AND AUTHORIZING THE GIFTING TO UNIVERSITY OF NOTRE DAME, INSTITUTE FOR NATURAL HISTORY ARTS, INC. AND THE ODDITIES MUSEUM, INC.

WHEREAS, Henry Brockhouse, a Sioux Falls businessman, was an avid hunter in the 1940s, 1950s, and 1960s and, as a result, he acquired an extensive collection of mounted animals from six continents (the “Brockhouse Animal Collection” or “Collection”) which he displayed to customers and visitors for many years in his West Sioux hardware store (West Sioux”) until his death in 1978; and

WHEREAS, many of these species are protected under the Endangered Species Act, Marine Mammal Act, Lacey Act, and the Migratory Bird Treaty Act; and

WHEREAS, in 1981, C.J. and Alene Delbridge purchased the Brockhouse Animal Collection from West Sioux; and

WHEREAS, Between 1981 and 1985, the Delbridges gifted the Brockhouse Animal Collection in its entirety to the City with no reversionary interest; and

WHEREAS, the City has full legal ownership of the Brockhouse Animal Collection which are listed individually in the document attached hereto as Exhibit A; and

WHEREAS, from 1984 to 2023, the City housed and publicly displayed the Brockhouse Animal Collection at the Delbridge Museum of Natural History (“Delbridge Museum”) located at the Great Plains Zoo campus; and

WHEREAS, over the years the Collection has undergone several assessments by consultants to determine its current condition and to identify its needs with its advancing age as the animal mounts are 50 to 80 years old; and

WHEREAS, in 2023, the Zoological Society of Sioux Falls, the manager of the Great Plains Zoo, as part of its routine assessment of the Collection, sent in swabs tests for chemicals and subsequently received lab results from Midwest Laboratories (“Lab”) that seventy-nine and one-half percent (79.5%) of the Collection tested positive for arsenic, a chemical which had been used in the taxidermy process for the preservation of hides in the era when Brockhouse first acquired these animals in this Collection, which led to the closure of the Delbridge Museum in August of 2023 to explore other options; and

WHEREAS, in September 2023, Mayor TenHaken convened a work group to specify the next steps for the Brockhouse Animal Collection; and

WHEREAS, the work group engaged A.M. Art Conservation, LLC and George Dante Studios to assess the Collection. The site visit occurred February 5-9, 2024, and the report was finalized July 8, 2024; and

WHEREAS, over several months, presentations were made to the work group showing the following: (1) Canopy Strategic Partners analysis of visitors at the Great Plains Zoo, usage data shows poor visitation to the Delbridge Museum at 2.8% of total zoo attendees spending 7 minutes or more in the Delbridge Museum when it was operational between the period of 2017-2023; (2) A.M. Art Conservation, LLC and George Dante Studios provided a cost proposal to restore the mounts which was estimated at roughly \$850,000 (excluding cost for cleaning, transportation, and arsenic treatment); (3) 18 of the specimens were deemed “not recommended for treatment”; (4) a new building to store the Collection was preliminarily estimated to cost between \$6-7 million dollars which includes the diorama expense and 6 foot tall glass partitions (\$1 million) or the fully enclosed glass systems (\$2 million) which is the best practice to safely display the Collection; and (5) there would be ongoing annual operating costs to include marketing of the Collection after this major investment of \$126,000/year.

WHEREAS, the work group recommended that state law be changed which would allow disposition of the taxidermy mounts to out-of-state non-profit organizations; and

WHEREAS, in early 2024, House Bill 1100, amending SDCL 6-13-15, passed and became effective July 1, 2024, which secured an exemption for taxidermy which would allow the Delbridge mounts to be legally transported out of state, facilitating donation to other out-of-state non-profit institutions; and

WHEREAS, on September 20, 2024, the City issued a Request for Qualification and Expression of Interest (“RFQEI”) to gauge interest from qualified entities for future ownership, management, preservation, and utilization of the Brockhouse Collection; and

WHEREAS, the City received six proposals in response to the RFQEI and no qualified 501(c)(3) non-profit organization from South Dakota submitted a proposal; and

WHEREAS, the University of Notre Dame, the Institute for Natural History Arts, Inc., and Oddities Museum, Inc. find it desirable to acquire a portion of the Collection as follows:

- 117 specimens - University of Notre Dame,
- 33 specimens - Oddities Museum Inc., and
- 2 specimens – Institute for Natural History Arts, Inc.; and

WHEREAS, the University of Notre Dame, the Institute for Natural History Arts, Inc., and Oddities Museum, Inc. are all 501(c)(3) nonprofit organizations; and

WHEREAS, pursuant to SDCL 6-13-1, the governing board of a public subdivision may gift property which the governing board has, by appropriate motion, determined is no longer necessary, useful or suitable for the purpose for which it was acquired; and

WHEREAS, pursuant to SDCL 6-13-15, any municipality may provide as a gift to any nonprofit organization that is recognized as an exempt organization under 501(c)(3) of the Internal Revenue Code of 1986, as amended to January 1, 1996, any collection of specimens preserved by a taxidermist that has been housed in a museum or other display owned by the municipality. The gift may include collection display and storage fixtures and related tangible personal property; and

WHEREAS, based on the above findings, the City hereby finds the Collection is no longer necessary, useful, or suitable for the purpose for which it was acquired; and

WHEREAS, the Sioux Falls Zoo and Aquarium Board met on August 23, 2023, and unanimously recommended the Collection be declared surplus; and

WHEREAS, the Brockhouse Animal Collection at Delbridge Museum work group met on January 17, 2025, and {insert vote} recommended the Collection be declared surplus and recommended the City Council authorize the gifting of the Collection to the University of Notre Dame, the Institute for Natural History Arts, Inc., and Oddities Museum, Inc; and

WHEREAS, the Parks and Recreation Board met on January 29, 2025, and {insert vote} recommended the Collection be declared surplus and recommended the City Council authorize the gifting of the Collection to the University of Notre Dame, the Institute for Natural History Arts, Inc., and Oddities Museum, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That the recitals above are adopted as findings and are incorporated herein by reference.

Section 2. The City hereby declares, pursuant to SDCL Chapter 6-13, the Brockhouse Animal Collection housed at the Delbridge Museum of Natural History to be surplus property and that is no longer necessary, useful, or suitable for the purpose for which it was acquired. In support of this determination, the City found that one, all or a combination of these factors listed in the recitals support a determination for surplus.

Section 3. That, pursuant to SDCL 6-13-15, the Brockhouse Animal Collection identified in Exhibit A is hereby gifted to the following 501(c)(3) non-profit organizations: the University of Notre Dame; the Oddities Museum, Inc., and the Institute of Natural History Arts, Inc.

Section 4. The above-described Collection shall be divided as follows:

- 117 specimens - University of Notre Dame
- 33 specimens - Oddities Museum, Inc.
- 2 specimens - Institute of Natural History Arts, Inc.

The division of the Collection is depicted in Exhibit A.

Section 5. The City shall publish this resolution with attachment after its passage. The attachment is on file and available for inspection in the office of the City Clerk.

Date adopted: _____.

Paul TenHaken, Mayor

ATTEST:

Jermery Washington,
City Clerk

DRAFT

EXHIBIT A

Specimen	University of Notre Dame	Oddities Museum Inc.	Institute for Natural History Arts, Inc.
1 02086980-000 African Elephant	Yes		
2 02086620-000 Cape Eland	Yes		
3 02086610-000 Grant's Gazelle	Yes		
4 02086360-000 Lichtenstein's Hartebeest	Yes		
5 02086110-000 Northern or Steller Seal	Yes		
6 02086070-000 Polar Bear	Yes		
7 02086120-000 Walrus	Yes		
8 02086600-000 White Bearded Gnu	Yes		
9 02086300-000 American Bison	Yes		
10 02085650-000 Axis Deer (mounted with Bengal Tiger)	Yes		
11 02085650-000 Bengal Tiger (mounted with Axis Deer)	Yes		
12 02086090-000 Black Bear	Yes		
13 02086410-000 Camel	Yes		
14 02086210-000 Caribou	Yes		
15 02086460-000 Gorilla	Yes		
16 02086670-000 Grant's Zebra	Yes		
17 02086990-000 Grevy's Zebra	Yes		
18 02086030-000 Grizzly Bear (mounted with Marmot)	Yes		
19 02085570-000 Hog Deer (mounted with Leopard)	Yes		
20 02086550-000 Impala	Yes		
21 02086450-000 Leopard	Yes		
22 02085570-000 Leopard (mounted with Hog Deer)	Yes		
23 02086320-000 Moose	Yes		
24 02086310-000 Musk Oxen	Yes		
25 02085640-000 Red Flanked Duiker	Yes		
26 02086710-000 Red Kangaroo (Male)	Yes		
27 02085710-000 Siberian Ibex	Yes		
28 02086510-000 Swayne's Dik Dik	Yes		
29 02085730-000 Thomas Kob	Yes		
30 02086930-000 Abyssinian Roller	Yes		
31 02207540-000 African Lion (1)	Yes		
32 02086750-000 Agile Wallaby	Yes		
33 02085990-000 Argali or Marco Polo Sheep	Yes		
34 02086020-000 Argali or Marco Polo Sheep	Yes		
35 02086400-000 Beisa Oryx	Yes		
36 02086080-000 Black Bear	Yes		
37 02085740-000 Black Rhinoceros	Yes		
38 02085910-000 Bohor Reedbuck	Yes		
39 02086520-000 Bohor Reedbuck	Yes		
40 02085660-000 Brocket Deer	Yes		
41 02086420-000 Cape Buffalo	Yes		
42 02086650-000 Chacma Baboon	Yes		

43 02086260-000 Chamois	Yes		
44 02086340-000 Coke's Hartebeest	Yes		
45 02086690-000 Colobus (split mount)	Yes		
46 02086690-000 Colobus Monkey (split mount)	Yes		
47 03000215-000 Colobus Monkey (Standing)	Yes		
48 02085690-000 Crocodile	Yes		
49 02086630-000 Crocodile	Yes		
50 02086940-000 Egyptian Goose	Yes		
51 02086440-000 Emu	Yes		
52 02087010-000 Fallow Deer	Yes		
53 02086130-000 Fannin	Yes		
54 02085590-000 Five Monkeys In A Tree (#1)	Yes		
55 02085590-000 Five Monkeys In A Tree (#2)	Yes		
56 02085590-000 Five Monkeys In A Tree (#3)	Yes		
57 02085590-000 Five Monkeys In A Tree (#4)	Yes		
58 02085590-000 Five Monkeys In A Tree (#5)	Yes		
59 02086580-000 Gerenuk	Yes		
60 02085900-000 Giant Forest Hog	Yes		
61 02086380-000 Grant's Gazelle	Yes		
62 02086050-000 Gray Or Timber Wolf	Yes		
63 02086040-000 Gray Or Timber Wolf (light colored)	Yes		
64 02086060-000 Gray Or Timber Wolf (sitting)	Yes		
65 02086530-000 Greater Kudu	Yes		
67 02085850-000 Hamadryas Baboon	Yes		
68 02087020-000 Hippo	Yes		
69 02086180-000 Jackal	Yes		
70 02086490-000 Klipspringer	Yes		
71 02086350-000 Lesser Kudu	Yes		
72 02085680-000 Monitor Lizard	Yes		
73 02086170-000 Mountain Goat	Yes		
74 02085810-000 Mountain Nyala	Yes		
75 02086470-000 Oribi	Yes		
76 02086740-000 Parma Wallaby	Yes		
77 02086920-000 Ptarmigan	Yes		
78 Red Kangaroo (Female with Joey)	Yes		
79 02086190-000 Red-Flanked Duiker	Yes		
80 02086370-000 Roan Antelope	Yes		
82 02085610-000 Russian Marmot	Yes		
83 02086030-000 Russian Marmot (mounted with bear)	Yes		
84 02086590-000 Sable Antelope	Yes		
86 02085880-000 Southern Bush Pig	Yes		
87 02085930-000 Southern Bushbuck	Yes		
88 02086640-000 Speke's Gazelle	Yes		
89 02085860-000 Striped Hyena	Yes		
90 02086480-000 Thomson's Gazelle	Yes		

91 02085780-000 Tiang, Topi	Yes		
92 02086010-000 Tiger (mounted with Four-Horned Antelope)	Yes		
93 02085620-000 Tree Pangolin (Larger of Two)	Yes		
94 02085620-000 Tree Pangolin (Smaller of Two)	Yes		
95 02085950-000 Urial Sheep	Yes		
96 02085670-000 Vervet Monkey	Yes		
97 02086560-000 Vervet Monkey	Yes		
98 02086660-000 Warthog	Yes		
100 02086390-000 Waterbuck	Yes		
101 02085870-000 Western Bush Pig	Yes		
102 02085700-000 Wild Goat	Yes		
103 02086240-000 Axis Deer	Yes		
108 02207540-000 European Bee Eater	Yes		
109 02086010-000 Four-Horned Antelope (Mounted with Tiger)	Yes		
111 02086430-000 Lion	Yes		
114 02086540-000 Ostrich	Yes		
115 02085720-000 Puku	Yes		
118 02085550-000 Scimitar-Horned Oryx	Yes		
120 02086570-000 Skunk Brown Phase	Yes		
121 02087000-000 Springbuck	Yes		
122 02086500-000 Steenbok	Yes		
123 02085600-000 Swamp Cat	Yes		
124 02086280-000 Tahr	Yes		
125 02085890-000 Vaal Rhebuck	Yes		
126 02086770-000 Vervet Monkey (on vine)	Yes		
127 02086200-000 Western Bushbuck	Yes		
136 02087030-000 Mountain Zebra	Yes		
141 02085630-000 Royal Pygmy Antelope	Yes		
147 02089740-000 Assorted Artifacts	Yes		
152 02086760-000 Tusks-Natural Ivory	Yes		
66 02085580-000 Grizzly Bear		Yes	
81 02067090-000 Rug Siberian Tiger Open Mouth		Yes	
85 02085750-000 Sambar (Red Deer)		Yes	
99 02086290-000 Water Buffalo		Yes	
104 02085800-000 Barbary Sheep		Yes	
105 02085960-000 Blesbok		Yes	
106 02086160-000 Dall Sheep		Yes	
107 02086150-000 Dall Sheep		Yes	
110 02086000-000 Gaur		Yes	
112 02085760-000 Nilgals (Nilgaie)		Yes	
113 02085820-000 Nyala (Male)		Yes	
116 02086730-000 Red Fox		Yes	
117 02067100-000 Rug Grizzly Bear Open Mouth		Yes	
119 02085840-000 Selous Sitatunga		Yes	
128 02085560-000 Addax		Yes	

129 02086100-000 Alaskan Brown Bear		Yes	
130 02085770-000 Bongo		Yes	
131 02085970-000 Bontebok		Yes	
132 02086270-000 Fallow Deer		Yes	
135 02087040-000 Impala		Yes	
137 02085830-000 Nyala (Female)		Yes	
138 02086250-000 Red Deer		Yes	
139 02086700-000 Red Kangaroo		Yes	
140 02085530-000 Reticulated Giraffe		Yes	
142 02085940-000 Soemmering's Gazelle		Yes	
143 02085920-000 Springbuck		Yes	
144 02086140-000 Stone Sheep		Yes	
145 02085980-000 Swayne's Hartbeest		Yes	
146 02086680-000 Yellow-Backed Duiker		Yes	
148 02086860-000 Shoulder & Head Mount-Big Horn Sheep		Yes	
149 02086870-000 Shoulder & Head Mount-Dall Sheep		Yes	
150 02086880-000 Shoulder & Head Mount-Dall Sheep		Yes	
151 02086810-000 Shoulder & Head Mounts- Mule Deer Head		Yes	
133 02085540-000 Giant Eland			Yes
134 02085790-000 Hunters Hartbeest			Yes
117		33	2