

**Tentative Meeting Agenda - McPherson County Board of Commissioners**  
**Meeting Location: McPherson County Courthouse in Commissioners Chambers**  
**706 Main Street, Leola, SD 57456**  
**Tuesday September 19<sup>th</sup>, 2023 beginning at 9:00AM**

Pledge of Allegiance, Approve Agenda, Conflicts of Interest

9:00AM Agenda, Conflicts of Interest

9:00AM 2024 Budget Approval Resolution

9:05AM Ordinance 23-1 Fees Resolution 23-10, Motion to lift zoning moratoriums.

9:45AM Public Comments

10:00AM Weed Board members to discuss overspray concerns with the Commission

Executive Session 1-25-2.1 or 2.3

Highway Department – Part Time Help, Surplus Misc Equipment

Auditor’s Office – Direct Deposit

DOE – Surplus rolodex File, Sharp Compet 2850A, Canon Power Shot Camera, and misc office items to be sold at the Schock consignment public Auction on 9/24/202. Surplus 2 HP Computers with the harddrives removed to be recycled.

Sheriff’s Office – Deputy Sheriff Resignation

Motion to approve the presented lists of volunteers for the Eureka Fire Department, Eureka EMTs, Leola Fire Department, Leola EMTs and the Long Lake Fire Department. It is McPherson County’s intent to cover these volunteers for workman’s comp purposes and the rosters for all listed entities are on file in the Auditor’s Office.

Bills, Reports, Minutes Signing, meeting authorizations

**Please contact the Auditor’s Office at least 24 hours in Advance to be placed on the agenda**

**Next Meeting**

October 3<sup>rd</sup>– 9am

November 7<sup>th</sup> – Start time?

## Zoning Moratoriums

### December 29th, 2022

Discussion was held on the current zoning moratoriums on wind energy, confined animal feeding operations, pipeline, and solar energy projects. Neuharth moved and Feickert seconded to place a moratorium on issuing any conditional use permits until the re-written zoning ordinance has been adopted. All voted in favor. Motion carried.

### January 11<sup>th</sup>, 2022

Neuharth moved and Feickert seconded to place a moratorium on hazardous liquid transmission pipelines as defined in Title 49 CFR Section 192.3 and Title 49 CFR 195.2 and Title 49 CFR 193.2007; this moratorium shall remain in place until a revised McPherson County zoning ordinance can be approved and take effect. Upon roll call vote: Beilke, Feickert, Kunz, Neuharth and Metzger voted Aye. Motion carried.

### RESOLUTION NUMBER 23-10

#### “ESTABLISHING PLANNING AND ZONING PERMIT APPLICATION FEES AS REQUIRED BY ORDINANCE 23-1”

WHEREAS, Ordinance #23-1 “An Ordinance Establishing permitting requirements for Hazardous Material Pipelines to the McPherson County Planning and Zoning Ordinance #10-2” for McPherson County requires that McPherson County shall establish the fees for each of the planning and zoning permits provided for within said Ordinance; and

WHEREAS, the Board of County Commissioners have hereby elected to establish said fees for all planning and zoning permits by resolution to be reviewed annually in January of each calendar year;

NOW THEREFORE BE IT BE RESOLVED that the following fee schedule be established:

- Hazardous Material Pipeline Permit Application Fee: \$15,000 base fee plus for any pipeline qualifying for any federal tax credit and/or subsidy, one percent (1%) annually of the tax credit and/or subsidy amount.
- County Road and Right of Way Renewal Fee: \$250 per drivable surface crossed plus any additional costs incurred by the county, that shall be paid annually by the Pipeline Owner on the anniversary of the In-Service date of the Hazardous Material Pipeline.
- Screening Fence Inspection fee to be paid by the Pipeline Owner: \$1000 per substation or related above-ground pipeline structure or facility plus any additional costs incurred by the county.
- Annual Facility Inspection Fee: \$250 per substation or related above-ground pipeline structure or facility, plus any additional costs incurred by the county, that shall be paid annually by the Pipeline Owner on the anniversary of the In-Service date of the Hazardous Material Pipeline.

BE IT FURTHER RESOLVED THAT the permit applicant must pay the permit fee prior to the application being reviewed by the Zoning Board. In the event that an applicant initiates a project prior to obtaining necessary permits the cost of the permit fee will increase to an amount equal to the original permit fee plus 10-fold the original permit fee. In addition to the permit fee the applicant will be billed for any actual costs incurred by the county that are directly associated with the permit and no permit shall be issued until such costs are reimbursed to McPherson County.

Dated this 19<sup>th</sup> day of September 2023 at Leola, South Dakota.

ATTEST:

Lindley Howard  
McPherson County Auditor

Rick Beilke  
Chairman of Board of Commissioners

\_\_\_\_\_ moved for the adoption of Resolution Number 23-10, \_\_\_\_\_ seconded the foregoing motion. Upon roll call vote, thereon all voted in favor. Motion carried, and resolution number 23-10 was declared duly adopted.