

McPherson County Board of Commissioners
Minutes of Proceedings
January 31st, 2024

The McPherson County Board of Commissioners met telephonically in special session on Wednesday, January 31st, 2024. The call could be heard in the Commissioners chambers. Chairman Rick Beilke called the meeting to order at 9:00AM. Members' present were Anthony Kunz, Mark Opp, Sid Feickert, and Jeff Neuharth.

Discussion was held on several bills that have been introduced and scheduled to be heard in legislative committees over the next couple weeks.

Resolution 24-5
McPherson County Local Control Resolution

Whereas: Local control is a key principle of the United States of America and South Dakota.

Whereas: South Dakota has a long history of allowing Counties, Municipalities, and Townships to adopt local zoning ordinances that benefit local jurisdictions and the citizens.

Whereas: Potential legislation threatens local control and would adopt a top down one size fits all setback that could harm the compatible use of the land and does not allow citizens to have a voice at the local level.

Whereas: On August 15th, 2023, Ordinance #23-1 was unanimously passed by the board of McPherson County Commissioners.

Whereas: Ordinance #23-1 requires a 1-mile setback from any occupied dwelling and 500-foot setback from any adjoining property line from certain pipeline facilities.

Whereas: Ordinance #23-1 was strongly supported by many of the citizens of McPherson County who made their voices heard during the public hearing.

Whereas: The board of McPherson County Commissioners continues to support Counties, Municipalities, and Townships having the authority to adopt ordinances that are appropriate for each unique jurisdiction.

Now therefore be it resolved by the Board of McPherson County Commissioners that we are opposed to any legislations that would adopt a top down one size fits all statewide setback that eliminates the local control of Counties, Municipalities, and Townships.

Be it further resolved that a copy of this resolution shall be furnished to the following: Governor Kristi Noem; District 23 Senator Bryan Breitling; District 23 Representative Scott Moore; District 23 Representative JD Wangness; District 3 Senator Al Novstrup; District 3 Representative Carl Perry; District 3 Representative Brandei Schaeftbauer; District 1 Senator Michael Rohl; District 1 Representative Tamara St.John; District 1 Representative Joe Donnell; South Dakota Association of County Commissioners Executive Director and board members.

Dated this 31st day of January, 2024 at Leola, SD

ATTEST

Lindley Howard

McPherson County Auditor

Rick Beilke

McPherson County Commission Chair

Neuharth moved for the adoption of Resolution Number 24-5, Kunz seconded the foregoing motion. Upon roll call vote, thereon, all voted in favor. Motion carried and Resolution Number 24-5 was declared duly adopted.

Howard will email the approved resolution to the individuals named in the resolution. At 9:05AM Kunz moved and Opp seconded to adjourn the special meeting. Upon roll call vote, all voted in favor. Motion carried. The next regular scheduled meeting will be held on February 6th, 2024 in the commission chambers beginning at 10AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

McPherson County Commission Chair