

**McPherson County Board of Commissioners**  
**Minutes of Proceedings**  
**October 1<sup>st</sup>, 2024**

The McPherson County Board of Commissioners met in regular session on Tuesday, October 1<sup>st</sup>, 2024, in the Commissions chambers. Vice-Chairman Mark Opp called the meeting to order at 9:00AM. Members present: Sid Feickert, Jeff Neuharth, and Anthony Kunz. Excused: Rick Beilke.

Feickert moved and Neuharth seconded to approve the October 1<sup>st</sup> agenda. All present voted in favor. Motion carried. No conflicts of interest were declared.

Neuharth moved and Kunz seconded to approve the minutes of the September 24<sup>th</sup> commissioner meeting. All present voted in favor. Motion carried.

At 9:30AM Public Comments were heard from: Tracy Hutson representing Agtegra – discussed a grain bunker construction project in Leola. The property where the bunker will be constructed is currently leased but will be platted and purchased by Agtegra. Construction can begin on the project after necessary building permits are obtained from the county and the City of Leola. Marian Kallas – asked about the culvert replacement timeline for the culvert by her house.

**CLAIMS APPROVED:**

Agtegra, Hwy/Soil Dist, \$2,149.84; Amazon, Supplies, \$305.14; ATT, Cellphone/Hotspot, \$493.73; Avera Occupational Medicine, Test, \$96.25; Butler, Hwy Supplies, \$1,512.24; Cedar Shores Resort, DOE Training, \$571.60; CHS, Propane, \$637.05; Crawford Trucks & Equipment, Hwy Supplies, \$498.26; Gentry Croshaw, Reissue #56230, \$242.04; Curt's Repair, Hwy Supplies, \$22.95; Dickey Rural Telephone Coop, Server Maint/Backup, \$145.89; DMI, Hwy Supplies, \$338.08; DSG, Hwy Supplies, \$4,256.28; ES&S, Election Supplies, \$71.94; Eureka City, Utilities, \$85.25; ECDC, Oct State's Attorney Rent, \$300.00; FEM, Utilities, \$429.15; Vicki Geffre, Fuel, \$110.02; Gene's Oil, Fuel, \$7,147.09; Graham Tire Aberdeen, Tires, \$916.00; Ken's, Hwy Supplies, \$12.58; Kimball Midwest, Hwy Supplies, \$396.50; Linde Gas & Equipment, Hwy Supplies, \$139.37; McPherson County Herald, Publishing, \$327.88; MDU, Utilities, \$524.33; NW Blade, Publishing, \$296.79; Pomp's Tire Service, Hwy Supplies, \$1,954.40; Premier Equipment, Hwy Supplies, \$526.77; Jackie Rau, Reimb, \$294.00; RDO, Hwy Supplies, \$184.88; Share, Hwy Supplies, \$467.76; Tools Plus, Hwy Supplies, \$165.67; TrueNorth Steel, Hwy Supplies, \$41,101.50; Vestis, Courthouse Supplies, \$277.86; Visa, Fuel, \$39.36; Visa, Supplies/Sub, \$956.92; CorTrust, Deliq Tax/Auto Deposit Fee, \$2,088.65; September Payroll Reimbursements: Lindley Howard, Reimb/Meals, \$579.51; Tiffany Weiszhaar, Meals, \$80.00; Hunter Heinrich, Meals/Miles, \$409.60; Vicki Geffre, Meals, \$80.00; Sam Boshard, Miles, \$45.85; Richard Kolb, Miles, \$4.59; Alvin Kallas, Miles, \$16.38; George Hulscher, Miles, \$45.85.

Neuharth moved and Feickert seconded to approve the forgoing claims. All present voted in favor. Motion carried.

**SALARIES OF OFFICERS AND EMPLOYEES:**

Commissioners, \$6,637.10; Auditor, \$9,596.96; Treasurer, \$9,405.87; State's Attorney, \$6,682.26; Government Building, \$4,555.78; Director of Equalization, \$14,449.60; Register of Deeds, \$9,505.87;

Veteran Service Officers, \$1,969.06; Sheriff, \$12,188.42; Extension, \$4,401.12; Planning & Zoning, \$400.00; Road & Bridge, \$60,094.43; Emergency Management, \$166.67; Eureka Joint Law, \$4,914.00; Leola Joint Law, \$4,933.33.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$11,147.08

Insurance: American Family, \$373.25; Avera, \$1,384.88; Guardian Vision, \$123.89; MetLife, \$159.55; South Dakota Retirement System, \$8,373.68; Colonial Life Vision, \$57.18.

**ADDED OR INCREASED SALARIES:**

Feickert moved and Kunz seconded to increase Vivian Sain's monthly salary by \$100/month (6-month increase), Salary as of 11/1/2024, \$39,554.76 (\$3,296.23/month) for 1,820 hours per year. All present voted in favor. Motion carried.

**RESOLUTIONS:**

**RESOLUTION 24-14**

**"PROVIDING FOR THE CANCELLATION OF CHECKS AND WARRANTS ISSUED BY MCPHERSON COUNTY OUTSTANDING FOR A PERIOD OF TWO (2) YEARS OR MORE"**

WHEREAS, in accordance with SDCL 7-22-17, the board of county commissioners may, by resolution, cancel any check or warrant that has not been presented for payment at any time within the two years of the date on which the check or warrant was issued;

WHEREAS, the following is a list of the checks and warrants outstanding prior to October 31<sup>st</sup>, 2022 and

"BE IT THEREFORE RESOLVED, that the following list of checks will be canceled in accordance with SDCL 7-22-17 and the County Treasurer will cease to carry these as outstanding checks unless they are redeemed on or before October 31<sup>st</sup>, 2024.

DATE	NUMBER	NAME	AMOUNT
5/25/2022	53004	McKlay Pettigrew	\$10.84

Dated this 1<sup>st</sup> day of October, 2024.

ATTEST:

Lindley Howard  
McPherson County Auditor

Mark Opp  
McPherson County Commission Vice- Chair

Neuharth moved for the adoption of Resolution Number 24-14, Feickert seconded the foregoing motion. Upon roll call vote: Neuharth, Kunz, Feickert and Opp voted 'Aye'; Excused: Beilke. Motion carried and Resolution Number 24-14 was declared duly adopted.

**OTHER MATTERS DISCUSSED AND ACTION TAKEN:**

Drainage Board

At 9:00AM, Kunz moved and Feickert seconded forgo meeting as the McPherson County Drainage Commission for the month of October due to new permits. All present voted in favor. Motion carried. A

proposed drainage project was briefly discussed. All drainage projects or projects that change the natural flow of water require a drainage permit.

#### Public Hearing and First Reading of Ordinance #2024-1

At 9AM a public hearing and 1<sup>st</sup> reading of Ordinance #2024-1: An Ordinance Amending McPherson County Ordinance #10-2, An Ordinance Establishing Zoning Regulations For McPherson County, South Dakota, and Providing For The Administration, Enforcement, and Amendment Thereof, In Accordance With The Provisions Of Chapters 11-2, 1967 SDCL, and Amendments Thereof, and For The Repeal Of All Resolutions And Ordinances In Conflict Therewith. A few questions were asked.

Neuharth moved and Kunz seconded to approve the 1<sup>st</sup> reading with the following format changes: change the numbering in 5.23.15 to start with 1 instead of 11; SES Chapter correct heading to 5.30 instead of 5.32. All present voted in favor. Motion carried.

Neuharth moved and Feickert seconded to hold a public hearing and 2<sup>nd</sup> reading of Ordinance #2024-1 on November 7<sup>th</sup> at 10AM. All present voted in favor. Motion carried.

#### Leola Data Center

Bill Connors representing the Leola Data Center and Larry Oswald representing Montana Dakota Utilities (MDU) gave a summary of the planned Leola Data Center project. The project will be located by the MDU substation west of Leola. Connor discussed the data center's proposed building scope, server cooling method and the PUC dockets. Oswald discussed MDU's tariff that states the data center would be susceptible to interruptions of service during system or grid emergencies. Priority would remain with local customers.

#### Highway Department – Updates

Gravel crushing is scheduled for October 21<sup>st</sup>, mowing and blading is happening now. Hwy superintendent Glenn Spitzer gave an update on the signing project and other miscellaneous work.

#### Abatement 24-7

Neuharth moved and Kunz seconded to approve Abatement 24-7, result of tax deed sale, Record#7608 County General abated, PAY 2024 \$102.54; PAY 2021-2023 \$233.70; Total Abated, \$336.24. All present voted in favor. Motion carried.

#### Director of Equalization

Director of Equalization Brooke Graves with Assessor Hunter Heinrich gave an update on the county reappraisal. All country reassessments will go onto the tax roll at the same time. The county wide reappraisal is expected to be on the tax roll for assessment year 2027. Shipping containers were discussed.

#### Highway Department – Fences in the Right of Way

Fences in the right of way were discussed. Feickert moved and Neuharth seconded that no fences are allowed in the right of way of graded, maintained roads without a signed fencing agreement. All present voted in favor. Motion carried. State's Attorney Hoffman will create a form & policy.

Feickert moved and Neuharth seconded to require three fences to be moved out of the right of way by June 1<sup>st</sup>, 2025: (1) Leo Vilhauer: County Road 8 east of Long Lake Highland twsp section 2 NW1/4; (2) James Schaible: County Road 18 Cleveland twsp section 36 N1/2 of the NE1/4 and the NE1/4 of the

NW1/4; (3) Ken Shafer, Shafer Real Estate LP, south side of County Road 8 Highland twsp Section 1 NE1/4. All present voted in favor. Motion carried.

At 10:40AM Neuharth moved and Kunz seconded to adjourn the meeting. All present voted in favor. Motion carried. The next regular Board of Commissioners meetings will be held on Thursday, November 7<sup>th</sup> beginning at 10AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Vice-Chairman of Board of Commissioners