

McPherson County Board of Commissioners
Minutes of Proceedings
February 4th, 2025

The McPherson County Board of Commissioners met in regular session on Tuesday, February 4th, 2025 in the Commissioners chambers. Chairman Mark Opp called the meeting to order at 10:00AM. Members present were Mark Opp, Jeff Neuharth, Sid Feickert, Neal Woehlhaff and Mike Mardian.

Neuharth moved and Feickert seconded to approve the February 4th agenda. All voted in favor. Motion carried. No conflicts of interest were declared.

Neuharth moved and Mardian seconded to approve the January 7th Commission and Drainage Commission minutes. All voted in favor. Motion carried.

PUBLIC COMMENTS:

At 10AM no public comments were heard by the board.

CLAIMS APPROVED:

Access Elevator & Lifts, Annual Maintenance, \$1,067.00; Agtegra, Hwy Supplies, \$97.04; Sam Aman, Pit Run, \$647.50; Amazon, Supplies, \$1,657.90; ATT, Cellphone/Hotspot, \$490.76; Auto Value, Hwy Supplies, \$1,740.46; Butler, Hwy Supplies, \$8,901.19; Century Business Products, Printer Contract, \$36.86; Certified Languages, Translator, \$47.85; CHS, Propane, \$6,720.97; Crawford Trucks & Equipment, Hwy Supplies, \$2,884.81; Curt's Repair, Oil Change/Metal, \$108.78; Dakota Fluid Power Inc, Hwy Supplies, \$731.05; Dickey Rural Telephone Coop, Server Maint & Backup/Update, \$204.64; DMI, Hwy Supplies, \$1,722.38; Equipment Blades, Hwy Supplies, \$9,873.00; Eureka City, Utilities, \$99.50; Eureka Mfg, Hwy Supplies, \$589.40; FEM, Utilities, \$580.34; Gappa Electric LLC, Water Heater Repair, \$1,009.20; Gene's Oil, Fuel, \$1,036.32; Grow SD, 2025 Allocation, \$3,000.00; House of Glass, Locks/Keys/Repair, \$732.70; Ken's, Hwy Supplies, \$47.99; Kimball Midwest, Hwy Supplies, \$715.21; Lakeside Lumber, Hwy & Sheriff Supplies, \$363.43; Leola City, Utilities, \$206.12; Linde Gas & Equipment, Hwy Supplies, \$821.28; McPherson Co Herald, Publishing, \$848.41; MDU, Utilities, \$958.14; Menards, Hwy/Courthouse Supplies, \$57.44; Microfilm, Equip Rent/Software, \$1,564.40; Moser Excavating & Trucking, Snow Removal, \$425.00; NW Blade, Publishing, \$831.87; Performance Oil-Aberdeen, Bulk Oil, \$6,784.00; Performance Oil-Eureka, DEF, \$107.25; Planning & Development, 2025 Web Hosting, \$1,500.00; Poms, Hwy Supplies, \$3,427.55; Premier Equipment, Hwy Supplies, \$218.62; Quaschnick Soft Water, Softener Salt, \$168.00; Quill, Envelopes, \$53.48; Joel Saylor, Pit Run, \$60.00; School & Public Land, Pit Run, \$93.75; SD Assoc of County Officials, 2025 Web Hosting, \$150.00; SD Asso of Co Hwy, Short Course Registration, \$150.00; SD Assoc of Weed & Pest, 2025 Dues, \$75.00; Assoc of Couty Weed & Pest, Conference, \$550.00; Share Corp, Hwy Supplies, \$435.31; Henry Spitzer, Reimb, \$26.72; Stern, Hwy Supplies, \$365.29; Taliaferro Law Firm, Court Appointed Attorney, \$584.75; Ten-45 Grocery, Supplies, \$80.11; Transource Truck & Equipment, Hwy Supplies, \$1,689.78; Valley Telco, Phone/Internet, \$952.98; Vestis, Courthouse Supplies, \$228.60; Visa, Supplies, \$561.49; Web Water Bottling Company, Courthouse Water, \$227.25; December 2024 Apportionment Remitted to Cities/Schools/Townships/Fire Districts, \$40,530.81; State Treasurer, Money Due to State, \$57,450.49; State Treasurer, Sales Tax, \$14.07; SDACC, M&P December Fees, \$106.00; Cortrust, Deliq tax/Direct Deposit Fee, \$57,722.60; January Payroll Reimbursements: Jeff Neuharth, Miles, \$456.98; Mark Opp, Miles, \$325.15; Lindley Howard, Reimb, \$109.41; Sharon Guthmiller, Reimb, \$16.02; Sam Boshard, Miles, \$46.90; Dave

Ackerman, Reimb, \$65.73; Logan Heupel, Miles, \$13.40; George Hulscher, Miles, \$46.90; Doug Hatlewick, Miles, \$56.95.

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

SALARIES OF OFFICERS AND EMPLOYEES:

Commissioners, \$6,637.10; Auditor, \$9,663.60; Treasurer, \$9,571.93; State’s Attorney, \$6,920.43; Government Building, \$4,404.80; Director of Equalization, \$10,154.80; Register of Deeds, \$9,571.93; Veteran Service Officers, \$2,435.73; Sheriff, \$12,192.11; Coroner, \$250.00; Extension, \$4,262.40; Planning & Zoning, \$400.00; Road & Bridge, \$61,158.31; Emergency & Disaster, \$180.00; Eureka Joint Law, \$5,080.40; Leola Joint Law, \$5,100.00.

McPherson County’s Share of the following:

Social Security and Medicare: CorTrust Bank: \$11,016.07

Insurance: American Family, \$413.68; Avera, \$2,569.14; Guardian Vision, \$114.36; MetLife, \$141.42; South Dakota Retirement System, \$8,643.24; Colonial Life Vision, \$47.65.

RESOLUTIONS:

RESOLUTION 25-7

“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 February 28th, 2023 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 February 28th, 2025.

DATE	NUMBER	NAME	AMOUNT
2/3/2023	54243	Katlyn Geffre	\$20.20
2/3/2023	54254	Timothy Kessler	\$18.16

Dated this 4th day of February, 2025.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

McPherson County Commission Chair

Mardian moved for the adoption of Resolution Number 25-7 Woehlhaff seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 25-7 was declared duly adopted.

RESOLUTION 25-8

“SELECTING DESIGNEES TO REQUEST FIREFIGHTING RESOURCES”

“BE IT HEREBY RESOLVED that the list of individuals set forth below, are hereby authorized to request rangeland fire assistance, on behalf of the County of McPherson as specified in SDCL 41-20A-11. The authority to request assistance as provided shall continue in full force until December 31st, 2026, and effect until terminated or modified by resolution of the County of McPherson Board of Commissioners.”
County Fire Assistance Authorization List: Effective Date: March 1st, 2025. Name of Individual, Position: David Ackerman, Sheriff/Emergency Manager, Mark Opp, County Commissioner; Lindley Howard, County Auditor.

Dated this 4th day of February 2025.

ATTEST:

Lindley Howard
McPherson County Auditor

Mark Opp
McPherson County Commission Chair

Neuharth moved for the adoption of Resolution Number 25-8, Feickert seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 25-8 was declared duly adopted.

**RESOLUTION 25-9
“PLAT APPROVAL”**

“Be it resolved by the County Commissioners of McPherson County, South Dakota, that the plat showing: Neuharth Addition in the NW1/4 of Section 9, Township 127 North, Range 71 West of the 5th P.M., McPherson County South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.”

Dated this 4th day of February 2025.

ATTEST:

Lindley Howard
McPherson County Auditor

Mark Opp
McPherson County Commission Chair

Feickert moved for the adoption of Resolution Number 25-9, Woehlhaff seconded the foregoing motion. Upon roll call vote: Feickert, Woehlhaff, Mardian and Opp voted ‘Aye’; abstained Neuharth. Motion carried and Resolution Number 25-9 was declared duly adopted.

**RESOLUTION 25-10
“PLAT APPROVAL”**

“Be it resolved by the County Commissioners of McPherson County, South Dakota, that the plat showing: Agtegra Addition to the City of Leola, and a Portion of the SW1/4 of Section 17, Township 126 North, Range 67 West of the 5th P.M., McPherson County South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments

thereof.”

Dated this 4th day of February 2025.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

McPherson County Commission Chair

Woehlhaff moved for the adoption of Resolution Number 25-10, Mardian seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 25-10 was declared duly adopted.

RESOLUTION 25-11

“BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS”

WHEREAS 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, McPherson County, is desirous of participating in the Bridge Inspection Program. The County request SDDOT to hire IMEG Consultants Corp. for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 4th day of February 2025 at Leola, South Dakota.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

McPherson County Commission Chair

Mardian moved for the adoption of Resolution Number 25-11, Feickert seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 25-11 was declared duly adopted.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Draft Resolution 25-12 Opposition to School Voucher Proposal/Program

Discussion was held on a proposed resolution opposing any school voucher proposal. Opposition is due to a concern that the proposed program would increase the state’s budget, potentially reduce state aid for local schools and in turn increase the local property tax burden. Mardian moved and Woehlhaff seconded to table any action on draft resolution 25-12. All voted in favor. Motion carried.

Abatements

Neuharth moved and Feickert seconded to approve the following partial abatements: Abatement 25-1 record #6905 valuation error, PAY 2025 county portion abated \$2.78; Partial Abatement 25-2 record #7757 valuation error, PAY 2025 county portion abated \$106.59; Partial Abatement 25-3 #7494 & 7495 portion of the year tax exempt, PAY 2025 county portion abated \$82.45. All voted in favor. Motion carried.

Drainage Board

At 10:30AM Neuharth moved, and Feickert seconded to meet as the McPherson County Drainage Commission. All voted in favor. Motion carried. The Drainage Commission meets concurrently with the Board of Commissioners and their minutes are listed in a separate section.

Zoning – Data Center Discussion

Neuharth updated the board on the zoning meeting and progress with the data center ordinance. Neuharth proposed the idea of the board of commissioners limiting the number of data center conditional use permits approved each year and reviewing existing facilities before approving additional data center projects. Public comments were heard from Wayne Breitag, and Bill Conners, representing the Leola Data Center. The next zoning board meeting is February 11th, and discussion will continue at the March Commission meeting.

E911 Bylaws/Sheriff Department

Commissioner Opp and Sheriff Ackerman sit on the North Central E911 board. At the last meeting bylaws updates, current surcharge and staffing issues that may put the PSAP (Public Safety Answering Point) status into jeopardy were briefly discussed. The draft Bylaw amendment was presented to the board. The 911 coordinator position was briefly discussed.

Sheriff Ackerman thanked the commission and stated that the new patrol vehicle was estimated to arrive late spring.

Director of Equalization

Director Brooke Mehlhaff went over the appeal process for assessments, including important dates during the appeal period. The property owners guide to the appeal process can be found on the South Dakota Department of Revenue's website.

Highway Department

Neuharth moved and Feickert seconded to call for hot mix asphalt, AE150S, CSS1H, and MC70 to be used in 2025 opened at 10AM on March 4th, 2025. All voted in favor. Motion carried.

Equipment for 2025/2026 were discussed. Neuharth moved and Woehlhaff seconded to order a new CAT 150 motor grader with cross slop for \$438,150 with payment due in 2026. All voted in favor. Motion carried. Spitzer will preserve \$100,000 of cash and budget authority from the 2025 budget to put towards the 2026 budget. Assigned cash will be used during the 2026 budget discussions.

Neuharth moved and Mardian seconded to purchase a Trial King Trailer triple axle with a hitch for a pup for \$68,673, pricing obtained via sourcewell contract #092922-TKI. All voted in favor. Motion carried.

Equipment that will be surplus was briefly discussed. No action taken. Resolution 25-11 was introduced to inspect McPherson County's 5 bridge structures.

Woehlhaff moved and Mardian seconded to add the following highway vendors to the list of bills the Auditor's Office is approved to pay in the event they have not been publicly posted 24 hours in advance of a meeting: Share, Macs, Crawford Trucks. All voted in favor. Motion carried.

FYI Treasurer's Office

Due to the implementation of a new State of SD motor vehicle system the Treasurer's Office won't be able to register vehicles February 14th – 18th, anyone registering in February is advised to come in before the 13th.

Executive Session

Neuharth moved and Mardian seconded to enter executive session at 12:10PM to discuss legal matters 1-25-2(3). All voted in favor. Motion carried. Neuharth moved and Feickert seconded to exit executive session at 12:45PM. All voted in favor. Motion carried. No action taken.

Meeting Authorizations

Feickert moved and Woehlhaff seconded to approve the following meeting authorizations: Highway Superintendent's Spring Short Course March 17-20, MSHA mandatory refresher training February 18th for all Highway Department Employees. All voted in favor. Motion carried.

Miscellaneous Items and Reports

Feickert moved and Mardian seconded to end the special counsel agreement with Sara Frankenstein - Gunderson, Palmer, Nelson & Ashmore LLP. All voted in favor. Motion carried.

Neuharth moved and Mardian seconded to add Matthew Waldner to the Leola Fire Department Roster on file in the Auditor's Office for Workman's Comp Coverage. All voted in favor. Motion carried.

Mardian moved and Neuharth seconded to order a replacement boiler chemical pump for approximately \$1800. All voted in favor. Motion carried.

Woehlhaff moved and Mardian seconded to approve the following reports: VSO Hours January 2025, Register of Deeds statement of fees collected during the month of January 2025 for the amount of \$4838.75, Register of Deed's Modernization and Preservation fees collected during month of January 2025 for the amount of \$230.00. All voted in favor. Motion carried.

At 1:00PM Feickert moved and Mardian seconded to adjourn the meeting. All voted in favor. Motion carried. The next regular meeting will be held on March 4th, 2025, beginning at 10:00AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Chairman of Board of Commissioners