

McPherson County Board of Commissioners
Minutes of Proceedings
April 8th, 2025

The McPherson County Board of Commissioners met in special session on Tuesday, April 8th, 2025, in the Commissioners chambers. Chairman Mark Opp called the meeting to order at 10:35AM. Members present were Jeff Neuharth, Sid Feickert, Neal Woehlhaff and Mike Mardian.

Feickert moved and Neuharth seconded to approve the April 8th agenda. All voted in favor. Motion carried. No conflicts of interest were declared, Neuharth noted several phone conversations.

PUBLIC COMMENTS:

At 10:35AM public comments were heard from Bill VanCamp representing the Leola Data Center, Kim Hoffman, Bruck Mack and Ray Geffre. The full meeting can be viewed on Youtube@McPhersonCountySD

RESOLUTIONS:

RESOLUTION 25-13
“RESOLUTION BANNING OPEN BURNING”

WHEREAS, McPherson County passed Ordinance 21-1 Open Burning Regulation Ordinance

WHEREAS, McPherson County is currently experiencing extreme dry conditions but climactic conditions do not meet the Grassland Fire Danger Index requirements for a very high or extreme category danger and/or the National Weather Service has not issued a Red Flag Warning, yet climactic conditions pose a fire threat to the public health and safety; and

WHEREAS, McPherson County desires to protect the health and safety of all residents and all property within the county boundary; and

WHEREAS, an emergency situation exists:

THEREFORE BE IT RESOLVED: that the McPherson County Commission ban the setting of any open fire, including a campfire, that is not contained within a fully enclosed fire box or structure from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, duct or chimney. Open Fire shall not include Charcoal Grill, Liquid Fuel Grills, Outdoor Fireplaces, Branding Iron Burners, or Burn Barrels as defined in Ordinance 21-1 Open Burning Regulations, and

BE IT FURTHER RESOLVED: that this ban shall remain intact until such time as conditions improve and a subsequent resolution by the McPherson County Commission is enacted removing said ban, and

BE IT FURTHER RESOLVED: that any violation of this resolution will result in criminal charges against the individual or individuals that initiate the fire outlined in Section III. Penalty of Ordinance 21-1 Open Burning Regulation Ordinance

Dated at Leola, South Dakota this 8th day of April 2025.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Chairman of the Board of Commissioners

Maridan moved for the adoption of Resolution Number 25-13, Neuharth seconded the forgoing motion. Upon roll call vote, thereon, all voted in favor. Motion carried, and Resolution Number 25-13 was declared duly adopted.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Zoning Board/Comprehensive Plan

The zoning board will hold a public hearing to re-adopt the current comprehensive plan without the end date of 2023 on April 22nd.

Ordinance 2025-1 Regulations for Data Processing Centers

Ordinance 2025-1 was discussed. Several ordinance suggestions were heard from the public and commissioners, entire discussion can be heard on the video recording. Feickert moved and Mardian seconded to send Ordinance 2025-1 Regulations for Data Processing Centers back to the Zoning board for more consideration. All voted in favor. Motion carried.

Drainage Board

At 11:15AM Mardian moved, and Neuharth 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.

Burn Ban

Ordinance 21-1 allows the commission to enact a burn ban when extremely dry conditions warrant. Resolution 25-13 was adopted.

Procedure for Rescheduling a Meeting

Discussion was held on the procedure to reschedule a commission meeting.

At 11:35AM Feickert moved, and Mardian seconded to adjourn the meeting. All voted in favor. Motion carried.

The next Zoning meeting will be held on April 22nd, 2025, beginning at 10:00AM. The next regular Commission Meeting will be May 6th, 2025, beginning at 9:00AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Chairman of Board of Commissioners