

McPherson County Board of Commissioners
Minutes of Proceedings
April 3rd, 2025

The McPherson County Board of Commissioners met in regular session on Thursday, April 3rd, 2025, in the Commissioners chambers. Chairman Mark Opp called the meeting to order at 9:00AM. Members present were Mark Opp, Jeff Neuharth, Sid Feickert, Neal Woehlhaff and Mike Mardian.

Woehlhaff moved and Neuharth seconded to approve the April 3rd agenda. All voted in favor. Motion carried. No conflicts of interest were declared.

Neuharth moved and Mardian seconded to approve the March 4th Commissioners and March 4th Drainage commission minutes as published; Feickert included the following correction to the March 10th Special Meeting Commission minutes, "Hoffman proposed retaining Nick Moser, Marlow, Woodward & Huff PLLC, a suggestion that received backing from Jorde via email" is now corrected to read "Jorde proposed retaining Nick Moser, Marlow, Woodward & Huff PLLC, a suggestion that received backing from Hoffman". All voted in favor. Motion carried.

PUBLIC COMMENTS:

At 9:00AM public comments concerning the State's Attorney were heard from Nancy Klipfel and Marian Kallas. The full meeting can be viewed on Youtube @McPhersonCountySD

CLAIMS APPROVED:

Agtegra, Hwy Supplies/Soil Dist/Spray, \$12,052.96; Amazon, Supplies, \$858.08; American Income Life Ins, 4-H Insurance, \$147.50; ATT, Cellphone/Hotspot, \$490.76; Butler, Hwy Supplies, \$2,145.03; Century Business Products, Printer Contract, \$82.38; Certified Languages, Translator, \$127.05; CHS, Propane, \$4,805.89; Cole Papers, Buffer Pad, \$43.26; Crawford Trucks & Equipment, Hwy Supplies, \$103.66; The Crossroads Hotel, Weed Conf, \$600.00; CRS, Inmate Insurance, \$36.68; Curt's Repair, Hwy Supplies-Steel, \$12.00; Dickey Rural Telephone Coop, Server Maint & Backup/Fix, \$719.40; Eureka City, Utilities, \$114.50; Eureka City, 2nd Qtr Rent, \$7,500.00; Eureka Comm Health Services, Tests, \$95.00; FEM, Utilities, \$456.75; Gene's Oil, Fuel, \$878.98; G&R Controls, Boiler Repairs, \$6,269.03; Heartland Waste, Utilities, \$80.00; Johnny & Renee Schwingler, Plumbing Fixes, \$1,112.46; Jensen Rock & Sand, Pea Rock, \$24,996.16; Ken's, Hwy Supplies, \$15.55; Kimball Midwest, Hwy Supplies, \$587.46; Lakeside Lumber, Sheriff/Courthouse Supplies, \$38.97; Leola City, Utilities, \$211.57; Linde Gas & Equipment, Hwy Supplies, \$136.59; McPherson Co Treasurer, Plates/Transfer, \$26.70; McPherson Co Herald, Publishing, \$467.17; MDU, Utilities, \$782.96; Menards, Courthouse Supplies, \$27.98; Microfilm, Equip Rent, \$364.40; MARC, Mop, \$35.10; Midwest Pump & Tank, Hwy Supplies, \$2,187.28; North Central E911, Jan-Mar Remittances, \$10,065.72; NW Blade, Publishing, \$583.14; Pomp's, Hwy Supplies, \$212.70; Premier Equipment, Hwy Supplies, \$48.43; Quill, Ext Supplies, \$609.90; Jackie Rau, Meal/Reimb, \$63.17; Runnings Farm & Fleet, Hwy Supplies, \$279.00; SD Public Health Lab, Tests, \$150.00; SDAAO, 2025 Membership, \$150.00; SDACC, Welfare Workshop, \$20.00; SDPAA, Ins Add-on, \$663.70; Share Corp, Hwy Supplies, \$511.89; Streicher's, Sheriff Supplies, \$529.94; Taliaferro Law Firm, Court Appointed Attorney, \$392.00; Taliaferro Law Firm, Court Appointed Attorney, \$375.75; Taliaferro Law Firm, Court Appointed Attorney, \$368.00; Taliaferro Law Firm, Court Appointed Attorney, \$450.00; Ten-45, Hwy Supplies, \$8.59; Transource Truck & Equipment, Hwy Supplies, \$585.84; Vestis, Courthouse Supplies, \$218.46; Visa, Supplies, \$72.65; Visa, Subs/Supplies, \$1,258.03; Michael Yost. CDL Reimb, \$65.00;

February 2025 Apportionment Remitted to Cities/Schools/Townships/Fire Districts, \$192,281.18; State Treasurer, Money Due to State-1st Half, \$30,048.38; State Treasurer, Money Due to State-2nd Half, \$29,689.29; State Treasurer, Sales Tax/Excise, \$88.10; SDACC, M&P February Fees, \$78.00; Web Water, Courthouse Water, \$143.25; CorTrust, Direct Deposit Fee/Safety Deposit/Deliq Tax, \$19,810.45; March Payroll Reimbursements: Sharon Guthmiller, Reimb, \$16.17; Samantha Barrett, Miles, \$46.90.

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

SALARIES OF OFFICERS AND EMPLOYEES:

Commissioners, \$6,637.10; Auditor, \$10,462.65; Treasurer, \$10,370.98; State's Attorney, \$6,920.43; Government Building, \$5,356.00; Director of Equalization, \$12,376.00; Register of Deeds, \$10,370.98; Veteran Service Officers, \$2,435.73; Sheriff, \$9,847.31; Extension, \$5,178.00; Road & Bridge, \$58,022.55; Eureka Joint Law, \$5,080.40; Leola Joint Law, \$5,021.60.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$11,030.47

Insurance: American Family, \$440.79; Avera, \$2,569.14; Guardian Vision, \$114.36; MetLife, \$164.73;

South Dakota Retirement System, \$8,548.56; Colonial Life Vision, \$47.65.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Pipeline Interrogatory Questions

Feickert updated the board on Brown County and Spink County's request to have their legal expenses reimbursed for the pipeline interrogatory questions. No bill has been received by McPherson County for either Brian Jorde or Nick Moser. The commission discussed keeping both on retainer.

Comprehensive Plan

Mardian expressed concerns with the current comprehensive plan and resolution 03-13 that includes the years 2003-2023. After discussion the commission will re-adopt the current comprehensive plan without the end date of 2023 through a public hearing at the zoning board on April 22nd and via resolution at the May 6th commission meeting. The commission will also instruct the zoning board to update the comprehensive plan through NECOG.

State's Attorney

Discussion was held on moving Westlaw and the Post Office box bills to direct pay by the county versus reimbursing State's Attorney Hoffman. Valleytel has already been moved over to the county's bill and Clio was dropped. Neuharth moved and Woehlhaff seconded to directly pay for the PO Box and Westlaw for 3 months at \$750/month with reassessment in June. All voted in favor. Motion carried.

Director of Equalization

A reassessment of the DOE Secretary position was completed. Neuharth moved and Feickert seconded to not replace the position; provide a cellphone reimbursement to both Brooke Mehlhaff and Hunter Heinrich \$30/month each; allow for a DOE Office clothing allowance of \$200/year for items that clearly say, 'McPherson County'. All voted in favor. Motion carried. The position will be reassessed in September.

A brief update was given on local boards and the county Equalization meeting that will be held on April 8th beginning at 10AM.

Surplus Equipment

Mardian moved and Feickert seconded to surplus the following: To be sold at Ulmer Auction: 1996 Trail King triple axle belly dump; To be sold at Schock Auction: miscellaneous office items, 12 split rims with 1100-22 tires off the low boy, old air cylinders, rims, barb wire and other miscellaneous highway items; No Value to donate to the Eureka Museum: typewriter. All voted in favor. Motion carried.

Highway Department

Neuharth moved and Woehlhaff seconded to add Butler and Premier Equipment 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. All voted in favor. Motion carried.

Woehlhaff moved and Neuharth seconded to approve the final specs (original spec approved February 2025) and sign the purchase agreement for a CAT 150-15A purchased using Sourcewell Contract #011723-CAT, final price \$439,833. All voted in favor. Motion carried.

Highway Superintendent Spitzer is providing GFP with estimates for three section line projects.

Discussion was held on 2025 reseal schedule, the road tour review from March 14th, pulling shoulders and other updates. Spitzer will send landowners with fences in the Right of Way reminder notices to remove their fences per the decision by the commission on October 1st, 2024.

Public Comments were heard by Nancy Klipfel, requesting dust control; Leo Vilhauer, fences in the right of way. The full meeting can be viewed at <https://youtu.be/TKPBKV9Jka0?si=ETKFQtUzwMXbNO2A>

Public Hearing and 2nd Reading: Ordinance 2025-1/Zoning Board

At 10:30AM a public hearing was held on Ordinance 2025-1 An Ordinance Establishing Zoning Regulations for Data Processing Centers. Public concerns were heard by many in attendance. A second reading of the ordinance with much discussion on section 5.33.12 was held.

The full meeting can be viewed at <https://youtu.be/TKPBKV9Jka0?si=ETKFQtUzwMXbNO2A>

Feickert moved and Woehlhaff seconded to table any action on the 2nd reading until April 8th at 10:30AM. All voted in favor. Motion carried.

Neuharth resigned from the Zoning Board and Housing Redevelopment Board.

Neuharth moved and Woehlhaff seconded to nominate Mardian to fill the vacancy on the Zoning Board and Housing Redevelopment Board. Upon roll call vote: Neuharth, Mardian, Woehlhaff, Feickert and Opp all voted "Aye". Motion carried.

Mardian moved to reassign Neuharth to Mardian's position on the Northeast South Dakota Community Action Program Board. Motion died due to a lack of a second. Mardian will remain on the Northeast South Dakota Community Action Program Board.

Sheriff's Department

Feickert moved and Mardian seconded to have the chairman sign the Memorandum of Understanding between Dakota State University and McPherson County to protect and enhance the cybersecurity posture of South Dakota's counties and municipalities through the SecureSD Program. All voted in favor. Motion carried. Sheriff Ackerman reminded the board that per Ordinance 21-1 burn bans go on automatically as conditions change, the commission can also still enact a burn ban. The Local Emergency Planning Commission approved a resignation at their last meeting and are looking to fill the position.

Once a replacement is found the LEPC will ask the commission to approve the appointment. Ackerman updated the board that the Department of Health has stopped funding mosquito control grants. Ackerman is applying for the Highway Safety Equipment grants that have an 80/20 match for equipment such as dash cams/radars/body cams. To receive the equipment grants the department is required to participate in the mandatory overtime.

Meeting Authorizations

Feickert moved and Mardian seconded to approve the following meeting authorizations: Austin Hoffman to attend State's Attorney conference, Sam Barrett to attend VSO training. All voted in favor. Motion carried.

Courthouse Maintenance

Woehlhaff moved and Neuharth seconded to approve and have the chairman sign the presented proposal from G&R Controls to replace the boiler condensate tank for \$8,043. All voted in favor. Motion carried.

Executive Session

Neuharth moved and Woehlhaff seconded to enter executive session at 12:10PM to discuss personnel matters 1-25-2(1). All voted in favor. Motion carried. Neuharth moved and Feickert seconded to exit executive session at 12:35PM. All voted in favor. Motion carried.

Miscellaneous Items and Reports

Feickert moved and Neuharth seconded to follow the State of SD and grant Good Friday April 18th and Easter Monday April 21st as holiday days. All voted in favor. Motion carried.

Neuharth moved and Mardian seconded to approve the following reports: Notice and Record of Payments to Poor Persons through March 2025, VSO Hours February 2025, VSO Hours March 2025, States Attorney Secretary Hours February 2025, Register of Deeds statement of fees collected during the month of February 2025 for the amount of \$4,236.50, Register of Deeds statement of fees collected during the month of March 2025 for the amount of \$6,537.75, Register of Deed's Modernization and Preservation fees collected during month of February 2025 for the amount of \$195.00, Register of Deed's Modernization and Preservation fees collected during month of March 2025 for the amount of \$330.00, Auditor's Account with the County Treasurer as of February 28th, 2025 as follows: total amount of deposits in Leola Bank, \$228,593.04; total amount of actual cash, \$747.00; total amount of checks and drafts in treasurer's possession not exceeding three days, \$9,339.85; CD's, \$1,190,552.03; Super savings, \$1,395,617.86; total, \$2,824,849.78, Auditor's Account with the County Treasurer as of March 31st, 2025 as follows: total amount of deposits in Leola Bank, \$263,095.33; total amount of actual cash, \$778.60; total amount of checks and drafts in treasurer's possession not exceeding three days, \$35,566.13; CD's, \$1,190,552.03; Super savings, \$1,395,617.86; total, \$2,885,609.95.

At 12:45PM Mardian moved and Feickert seconded to adjourn the meeting. All voted in favor. Motion carried.

The Board of Equalization meeting will be held on April 8th beginning at 10AM. A special Commission Meeting will be held on April 8th, 2025, beginning at 10:30AM. 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