

McPherson County Board of Commissioners
Minutes of Proceedings
July 1st, 2025

The McPherson County Board of Commissioners met in regular session on Tuesday, July 1st, 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. The full meeting can be viewed at <https://www.youtube.com/@McPhersonCountySD>

Feickert moved and Neuharth seconded to approve the July 1st agenda. All voted in favor. Motion carried. No conflicts of interest were declared.

Woehlhaff moved and Neuharth seconded to approve the June 3rd Commissioners minutes with the following correction: Agenda approved on June 3rd was the June 3rd agenda not the May 6th agenda as printed. All voted in favor. Motion carried.

PUBLIC COMMENT:

At 9:30AM public comments were heard from Mike Klipfel –data center ordinance, additional studies should be conditions during data center permitting process, County should not rent/renovate the Eureka building, and any county building investment should be made in Leola. Entire comments can be heard at <https://www.youtube.com/@McPhersonCountySD>

DRAINAGE COMMISSION:

At 9:05AM Feickert moved, and Mardian seconded to meet as the McPherson County Drainage Commission. All voted in favor. Motion carried. The Drainage Commission met concurrently with the Board of Commissioners and their minutes are listed in a separate section.

CLAIMS APPROVED:

Aberdeen Chrysler Center, Hwy Supplies, \$247.50; Agtegra, Hwy/Courthouse/Soil Dist Supplies, \$15,554.91; Amazon, Supplies, \$318.82; ATT, Cellphone/Hotspot, \$488.36; Avera St. Luke's, Jail Medical Clearance, \$431.88; Butler, Hwy Supplies, \$1,154.94; Century Business Products, Printer, \$1,270.00; Century Business Products, Printer Contract, \$45.25; Certified Languages, Translator, \$57.75; CHS, Propane Hand Patcher, \$53.27; Crawford Trucks & Equipment, Hwy Supplies, \$969.50; Curt's Repair, Oil Change, \$81.00; Joshua Lee Halsey, New Pickup, \$9,525.00; Dept of Agriculture & Natural Resources, Storm Water, \$800.00; Eureka City, Utilities, \$160.25; Eureka City, 3rd Qtr Rent, \$7,500.00; Eureka Manufacturing, Hwy Supplies, \$7.20; FEM, Utilities, \$165.51; Flint Hills Resources, Hwy Supplies, \$12,104.37; Gene's Oil, Fuel, \$1,669.55; Kristen Gonsoir, Horse Show Judge, \$290.45; G&R Controls, Condensate Tank Replacement, \$8,043.00; Heartland Waste, Utilities, \$40.00; Hillsvie Welding, Pipe, \$975.00; Johnny & Renee Schwingler, Hwy AC Repair, \$221.02; Jensen Rock and Sand, Hot Mix, \$132,833.70; Kimball Midwest, Hwy Supplies, \$537.49; Lakeside Lumber, Hwy Supplies, \$45.84; Leola Ambulance, Insurance Reimbursement, \$5,736.00; Leola City, Utilities, \$218.41; Lewis & Clark Behavioral, Mental Health, \$225.00; Linde Gas & Equipment, Hwy Supplies, \$1,006.79; McPherson County Treasurer, License Plates, \$53.40; McPherson Co Herald, Publishing, \$289.70; MDU, Utilities, \$759.58; Menards, Courthouse Supplies, \$22.46; Microfilm, Rent & Software, \$2,788.40; Midwest Pump & Tank, Hwy Supplies, \$83.68; National Sheriff's Association, 2025 Membership, \$125.00; North Central

911, E911 Remittances, \$6,665.86; NW Blade, Publishing, \$294.33; Performance Oil, Hwy Supplies, \$76.00; Pomp's Tire Service, Hwy Supplies, \$4,713.10; Premier Equipment, Hwy Supplies, \$124.91; Ramkota Hotel-Pierre, Election Workshop, \$112.00; RDO Equipment, Hwy Supplies, \$82.73; Ron's Service Center, Oil Changes, \$102.46; Runnings Farm & Fleet, Hwy Supplies, \$109.95; Safe Harbor, Marriage Remittance Fee, \$90.00; SDAAO, DOE School, \$500.00; SDVSO Association, Conference, \$50.00; Share Corp, Hwy Supplies, \$848.42; Stryker Sales, AED Supplies, \$644.00; Tri State Water, Courthouse Water, \$133.00; Vestis, Courthouse Supplies, \$215.11; Visa, Hwy Supplies, \$106.03; Visa, Subs/Hotels/Fuel/Postage, \$1,042.58; May 2025 Apportionment Remitted to Cities/Schools/Townships/Fire Districts, \$401,341.31; State Treasurer, Money Due to State, \$66,022.91; State Treasurer, Sales Tax/Excise, \$11.15; CorTrust, Direct Deposit Fee/Deliq Tax, \$760.55; June Payroll Reimburesments: Neal Woehlhaff, Miles, \$302.84; Lindley Howard, Miles/Reimb, \$293.32; Brooke Mehlhaff, Reimb/Meals, \$121.00; Hunter Heinrich, Meals, \$66.00; Sam Barrett. Miles, \$418.08; Dave Ackerman, Reimb, \$30.00; Tim Serr, Miles, \$46.90; Jackie Rau, Miles, \$32.16; Wesley Hilgemann, Miles, \$46.90.

Neuharth moved and Woehlhaff seconded to approve the forgoing claims and the following claims to be paid on July 14th, Vanguard for \$2,250 and Dickey Rural Telephone Coop \$13,176.85. All voted in favor. Motion carried.

SALARIES OF OFFICERS AND EMPLOYEES:

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, \$6,511.71; Extension, \$5,192.00; Weed Control, \$445.93; Road & Bridge, \$70,998.76; Emergency & Disaster, \$256.90; Eureka Joint Law, \$5,080.40; Leola Joint Law, \$5,680.40.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$11,874.70

Insurance: American Family, \$440.79; Avera, \$2,569.14; Guardian Vision, \$104.83; MetLife, \$154.37; South Dakota Retirement System, \$8,696.90; Colonial Life Vision, \$47.65.

ADDED SALARIES:

Mardian moved and Feickert seconded to add the following salary, Nathan Chambers, Deputy Sheriff, \$54,000 annually (\$25.96/hour for 2080 hours) beginning July 2025. All voted in favor. Motion carried. Neuharth moved and Feickert seconded to add the following salary Lee Geffre, highway department part-time skilled with CDL at \$27.81/hour, as needed, beginning July 2025. All voted in favor. Motion carried.

RESOLUTIONS:

RESOLUTION 25-23

"ESTABLISHING PLANNIGN AND ZONING PERMIT APPLICATION FEE AS REQUIRED BY ORDINANCE 2025-1"

WHEREAS, Ordinance #2025-1 "An Ordinance Amending McPherson County Ordinance 24-1, An Ordinance establishing zoning regulations for data processing centers in McPherson County" for

McPherson County requires that McPherson County shall establish the fees for planning and zoning permits provided for within said Ordinance; and

WHEREAS, the Board of County Commissioners have hereby elected to establish said fees for all planning and zoning permits by resolution to be reviewed annually in January of each calendar year;

NOW THEREFORE BE IT BE RESOLVED that the following fee schedule be established:

Data Processing Center Permit Application Fee: \$2,000

BE IT FURTHER RESOLVED THAT the permit applicant must pay the permit fee prior to the application being reviewed by the Zoning Board; and

BE IT FURTHER RESOLVED THAT in addition to the permit fee the applicant will be billed for all publication and certified mailing costs that are directly associated with the permit and no permit shall be issued until such costs are reimbursed to McPherson County; and

BE IT FURTHER RESOLVED THAT If an applicant initiates a project prior to obtaining necessary permits the cost of the permit fee the applicant will be charged in accordance with Section 1.02.03 of Ordinance 2024-1

Dated this 1st day of July 2025

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Chairman of the Board of Commissioners

Neuharth moved to adopt Resolution Number 25-23. Mardian seconded the forgoing motion. Upon roll call vote, thereon, all voted "AYE". Motion carried, and Resolution Number 25-23 was declared duly adopted.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Courthouse Maintenance

A quote for replacement of two failed boiler header valves with integral check valves was examined. Additional quotes will be sought from other vendors and action taken in August.

Meeting Authorizations

Feickert moved and Neuharth seconded to approve the following meeting authorizations: Mike Mardian, Neal Woehlhaff and Logan Heupel to attend a meeting in Aberdeen on June 16; Hunter Heinrich to attend Assessor's School in Sioux Falls in September; Lindley Howard to attend regional welfare meeting in Pierre in July. All voted in favor. Motion carried.

Highway Department

Concerns with the federal signing project were discussed including the high number of signs, location of signs, inspection, and wire flag removal. Spitzer will talk to the engineering company about the concerns.

Woehlhaff moved and Neuharth seconded to surplus the 1975 Miller Tilt bed Trailer #2005 through Ulmer Auction and a Snapper riding lawn mower at the fall Schock Auction. All voted in favor. Motion

carried.

Discussion on adding additional 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 commission meeting. A pre-approved set dollar limit was also discussed. No action taken.

Rural Access Infrastructure locations was discussed. Landowners adjacent to structure 47-4700-1325 requested like culvert replacement vs. a concrete box, this would not require a hydrology study.

Woehlhaff moved and Mardian seconded to approve a hydrology study to replace the existing culverts to a concrete box at Rural Access Infrastructure Location 47-4525-1701A/47-4525-1701B. All voted in favor. Motion carried.

Staffing levels were discussed. Neuharth moved and Feickert seconded to add Lee Geffre to the part-time Highway Department employees working as needed in 2025. All voted in favor. Motion carried.

Permit to Occupy Right of Way

Neuharth moved and Feickert seconded to approve the following permits to occupy right of way: Moser Construction on behalf of Doug Casey to bury 1 ½ inch water line under the section line between Section 32 and 33 of T126N-R66W; Web Water to install, via boring across 108th street, a 2-inch potable waterline to a residence northeast of Eureka between sections 12 and 13 in T127N-R72W; Web Water to install, via boring across 108th street, a 2-inch potable waterline to a new residence northwest of Eureka between sections 10 and 15 in T127N-R73W . All voted in favor. Motion carried.

Public Hearing and 2nd Reading: Ordinance 2025-1 An Ordinance Establishing Zoning Regulations for Data Processing Centers

At 10:00AM a second reading and public hearing was held on Ordinance 2025-1. Public comments Marian Kallas – additional studies; Ray Geffre – wants ordinance to specify food grade antifreeze and power supply; Linda Schauer – power concerns and wants a list of investors; Melvin Kallas – Power cost concerns; Mike Lapka – PUC rate concerns. Bill Conners representing the Leola Data Center and Ryan Holien, representing FEM Electric responded to many of the questions posed during the public hearing. Entire public hearing can be heard at <https://www.youtube.com/@McPhersonCountySD>

Neuharth moved and Woehlhaff seconded to adopt Ordinance 2025-1 “An Ordinance Establishing Zoning Regulations for Data Center Processing Centers” and to publish the notice of adoption on July 10th and 17th. All voted in favor. Motion carried.

Fees via Resolution 25-23 were discussed.

Sheriff Department

Safety Benefits recommendations were discussed. The existing old jail cells could be used as holding cells with minimal investments. Sheriff Ackerman will request quotes for future discussion. The commission will send representatives to the next Eureka City Council meeting to discuss the building and will request the operational expenses related to the building from the city.

Mardian moved and Feickert seconded to authorize the chair to sign the Employment agreement between McPherson County and Nathan Chambers. All voted in favor. Motion carried.

The EurekaFest committee has asked the county to allow the community to use the Eureka building bathrooms and garage facility during EurekaFest in September. The sheriff will work with the committee.

Joint Law Enforcement

Discussion was held on the cost of county wide joint law enforcement and the actual costs compared to the contribution received from Eureka and Leola cities. Leola City Mayor Brett Schaible requests more law enforcement visibility and an increase in the reports the city receives.

Executive Session

Feickert moved and Woehlhaff seconded to enter executive session at 11:35AM to discuss personnel matters 1-25-2(1). All voted in favor. Motion carried. Mardian moved and Woehlhaff seconded to exit executive session at 12:41PM. All voted in favor. Motion carried. No action taken.

Budget FY2026

Recommendations were considered for the 2026 Provisional Budget, several changes were made. The county road and bridge capital improvement levy per SDCL 10-12-13 was discussed, no action taken. All budget documents are available online, and more discussion will take place at the next meeting.

At 2:30PM Neuharth moved, Woehlhaff seconded to adjourn the meeting. Upon roll call vote Neuharth, Woehlhaff, Mardian and Opp voted 'Aye'; Excused Feickert. Motion carried. The next regular Commission Meeting will be on Thursday, August 7th beginning at 9:00AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Chairman of Board of Commissioners