

McPherson County Board of Commissioners
Minutes of Proceedings
September 2nd, 2025

The McPherson County Board of Commissioners met in regular session on Tuesday, September 2nd, 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 September 2nd agenda, with the addition of hwy sign polls surplus discussion and a review the public comment rules and procedures. All voted in favor. Motion carried. No conflicts of interest were declared.

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

DRAINAGE COMMISSION:

At 11:45AM Neuharth 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.

PUBLIC COMMENT:

At 9:00AM public comments were heard from: Arden Sieh, section line road maintenance particularly 110th street and Wayne Breitag, shared a courthouse fire document and gave opinions on how fire proof the courthouse is and how offices could be on the 3rd floor. Full public comments can be heard at <https://www.youtube.com/@McPhersonCountySD>

CLAIMS APPROVED:

Amazon, Supplies, \$244.75; ATT, Cellphone/Hotspot, \$490.73; Auto Value, Hwy Supplies, \$492.20; Bound Tree Medical, Gloves, \$256.34; Butler, Hwy Supplies, \$4,736.57; Cedar Shores Resort, DOE Hotel, \$612.36; Century Business Products, Printer Contract, \$47.39; Certified Languages, Translator, \$110.55; Crawford Trucks & Equip, Hwy Supplies, \$3,959.06; Curt's Repair, Oil Change, 94.00; Dakota Fluid Power, Hwy Supplies, \$210.02; Dakota Oil, Fuel Treatment, \$507.00; Dependable Sanitation, Utilities, \$264.00; Dickey Rural Telephone Coop, Server Maint/Backup/Fix, \$899.64; Eureka City, Utilities, \$137.00; Eureka Medical Clinic, Pre-Employment, \$185.00; FedEx, Evidence Return, \$90.09; FEM, Utilities, \$430.01; Gall's, Shirt, \$36.42; Gene's Oil, Fuel, \$1,304.80; Johnny & Renee Schwingler, Boiler Valve Replacement, \$17,032.70; Kimball Midwest, Hwy Supplies, \$785.93; Lakeside Lumber, Supplies/Dehumidifier, \$347.97; Linde Gas & Equipment, Hwy Supplies, \$480.97; MDU, Utilities, \$822.02; Menards, Courthouse Supplies, \$130.97; MARC, Weed Killer, \$364.23; Midwest Pump & Tank, Hwy Supplies, \$808.00; NECOG, PDM Plan Rewrite, \$12,150.00; Newman Traffic Signs, Signs, \$926.70; North Central E911, July/Aug Remittance, \$9,407.66; NW Blade, Publishing, \$354.76; Performance Oil, DEF, \$97.50; Pomp's Tire Service, Hwy Supplies, \$1,379.68; Premier Equipment, Hwy Supplies/Floor Dry, \$926.66; Quality Inn, State Fair Hotel, \$1,272.00; Richardson Law Firm, Mental Health, \$10.70; Safe Harbor, Fee Remittance, \$60.00; SD Public Health Lab, Test, \$50.00; SD Sheriff's Association, Thumb Drives, \$30.00; SDSU Extension, Conference Registration, \$180.00; Share Corp, Hwy Supplies, \$574.85; Thomson Reuters-West, August West

Law/Past Due, \$888.32; Tools Plus, Hwy Supplies, \$89.99; Tri State Water, Courthouse Water, \$184.00; Vestis, Courthouse Supplies, \$201.73; Visa, Hwy Supplies, \$602.75; Visa, Hotel/Fuel, \$539.96; Visa, Subs/Postage/Fuel/Misc, \$1,091.42; Michael Yost, Meals, \$102.00; July 2025 Apportionment Remitted to Cities/Schools/Townships/Fire Districts, \$18,707.39; State Treasurer, Money Due to State, \$62,004.29; State Treasurer, Sales Tax/Excise, \$4.50; SDACC, July M&P Fees, \$96.00; CorTrust, Direct Deposit Fee, \$15.00; Lloyd Schaunaman, MV Refund, \$480.00; August Payroll Reimbursements: Austin Hoffman, Reimb., \$37.84; Sharon Guthmiller, Miles, \$26.80; Brooke Mehlhaff, Meals, \$66.00; Hunter Heinrich, Meals, \$66.00; Samantha Barrett, Miles, \$93.80; Nathan Hoffman, Fuel/Postage, \$40.10.

Woehlhaff moved and Mardian seconded to approve the forgoing claims; the Aman Electric bill was tabled, it will be presented to Eureka City and revisited on Sept. 16th. 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, \$10,140.80; Register of Deeds, \$9,571.93; Veteran Service Officers, \$2,435.73; Sheriff, \$6,511.71; Extension, \$4,296.40; Weed Control, \$2,392.50; Road & Bridge, \$62,980.15; Eureka Joint Law, \$5,080.40; Leola Joint Law, \$10,180.40.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$11,237.64

Insurance: American Family, \$440.79; Avera, \$3,017.93; Guardian Vision, \$114.36; MetLife, \$159.55; South Dakota Retirement System, \$8,238.27; Colonial Life Vision, \$47.65.

RESOLUTIONS:

RESOLUTION 25-24

"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 September 30th, 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 September 30th, 2025.

DATE	NUMBER	NAME	AMOUNT
8/24/2023	4721	Scott or Jessica Schauer	\$13.10
8/3/2023	55234	Sarah Sanborn	\$28.12
9/6/2023	55324	Best Western of Huron	\$760.00

Dated this 2nd day of September, 2025.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

McPherson County Commission Chairman

Neuharth moved for the adoption of Resolution Number 25-24, Woehlhaff seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 25-24 was declared duly adopted.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Demkota Permit

Scott Langner, on behalf of Demkota, updated the board and asked for a motion to extend the 5-mile manure variance permit granted in March 2025 and to consider changing the rate structure to a flat amount per load instead of the tiered fee structure currently in place through resolution 25-4.

Neuharth moved and Mardian seconded to extend the 5-mile manure variance held by DemKota Ranch Beef until March 1st, 2026; the following conditions will continue: (1) To lessen road wear DemKota will travel the original route - hwy 10, north on C23, west on C2 and south on C21 to location for approximately 50% of the loads, the other 50% of the load will be hauled on the alternative route - enter McPherson County going west on C2, south on C21 to location, (2) approval must be obtained from Brown County and Dickey County if the approved route and/or alternate route includes any of their county roads. All voted in favor. Motion carried. The permit fees will remain as outlined in Resolution 25-4.

Provisional Budget Hearing

At 9:30AM a public hearing was held on the 2026 provisional budget. There were no proponents, opponents or public comments. No changes were made to the published provisional budget. The final adoption of the 2026 budget will take place on September 16th, 2025, at 9AM. The provisional budget is on file for public inspection at the Auditor's Office. The pay 2026 growth rate and preliminary PAY 2026 levies for the county general and secondary road funds were presented to the board.

Eureka Building

Councilman Kevin Hoff joined the meeting on behalf of Eureka City. The city is offering the building to the county for \$60,000 payable over 3 years. Hoff expressed that the council and community want a county presence in Eureka City. The building's A/C, insulation, roof, roof drainage and water drips were discussed along with possible remedies. Comments were made by the commission. Full discussion can be viewed at <https://www.youtube.com/@McPhersonCountySD>

Neuharth moved and Feickert seconded to have the state's attorney draft a purchase agreement for the Eureka building to be reviewed on September 16th. Neuharth moved and Feickert seconded to rescind the motion. Discussion ensued about the potential cost to fix issues brought up by the commission and possibly adding language to the purchase agreement to share the cost to fix issues with the City of Eureka.

Neuharth moved and Feickert seconded to have the State's Attorney draft a purchase agreement for \$60,000 over 3 years, with no stipulations for cost sharing any future fixes, and to include an easement for the city to access their infrastructure within the building. Upon roll call vote: Woehlhaff, Neuharth, Feickert and Opp "Aye"; Mardian "Nay". Motion carried.

Kyle Moser Deputy State Fire Marshall

Moser assessed the vaults and doors at the request of Commissioner Mardian. He presented his assessment to the commission. The vaults serve as a security feature rather than a rated fire stop. Moser, along with the Leola Fire chief, will provide an additional walk-through assessment to identify fire risks.

Courthouse Maintenance

Sharon Guthmiller asked the board to address the crack around the foundation that is allowing water to enter the courthouse basement. Discussion was held on water issues and possible fixes. The hwy department will seal the crack with an asphalt crack sealant. The steps on the south side of the courthouse are falling apart, Commissioners Woehlhaff and Mardian will solicit estimates to get the sides of the steps reformed and repoured, and for repair of the steps. Estimates will be presented at a future meeting. Guthmiller has sought out a landscaping plan for the cleared circles on the south side of the courthouse. The highway department will help clear the roots/stumps and additional discussion will take place when landscaping options are presented.

County Employee Picnic

The board discussed holding a county employee picnic or similar event to show employee appreciation and allow employees working in different departments to get to know each other in a casual setting. No action taken.

Highway Department

Spitzer presented road striping quotes for approximately 27 miles for the centerline only and for the center and edge lines. Re-quotes will be sought for consideration at the September 16th meeting. Spitzer gave an update on the surplus Miller trailer that was sold through Ulmer Auction. The highway department will be doing some work for the City of Eureka digging out a problem area. Spitzer updated the board on road issues and road wash with the recent rain events. During the inspection of the new signs several areas of sign damage with bullet holes were observed, the issue has been turned over to law enforcement.

Permits to Occupy Right of Way

Neuharth moved and Mardian seconded to approve the following right of way permits: FEM to install power cable in the ditch by plowing parallel to XXX ST and XXX Ave between Section 7 and 18 and Section 7 and 8 of T128N-R72W; WEB Water to install 2-inch potable waterline by boring under 113th Street between Section 4 and Section 9 of T126N-R71W. All voted in favor

Auditor's Office

Neuharth moved and Woehlhaff seconded to approve an automatic supplement for \$1,310.78 to 238-0-373 and 238-211-425. Neuharth, Mardian, Woehlhaff, Feickert "Aye"; Opp excused. Motion carried.

Meeting Authorizations

Neuharth moved and Feickert seconded to approve the following meeting authorizations: Mike Mardian meeting on 8/9 in Eureka; Glenn Spitzer to attend the local roads conference in October. All voted in favor. Motion carried.

NECOG – Eric Senger

The Northeast Council of Government's executive board asked Eric Senger to meet with member counties to discuss low participation in meetings and how to reengage the membership. Discussion was held on current McPherson County members and board structure, meeting timing, bylaws. Any proposed action by the NECOG executive board will be presented to the commission well in advance.

Executive Session

Woehlhaff moved and Mardian seconded to enter executive session at 12:15PM to discuss personnel and legal matters SDCL 1-25-2(1) and (3). All voted in favor. Motion carried. Feickert moved and Neuharth seconded to exit executive session at 1:00PM. All voted in favor. Motion carried. No action taken.

NON-ACTION COMMISSION DISCUSSION:

Representative Scott Moore sent follow-up from the Upper Missouri Valley Commissioners meeting on the 911 surcharge and 911 call centers. The 5-mile manure variance in the zoning ordinance was discussed, any changes to the ordinance would come from the zoning board. The next Zoning Board meeting is October 21st, 2025. Approach permits and possible ordinance will also be discussed at the October Zoning meeting.

REPORTS APPROVED:

Woehlhaff moved, and Mardian seconded to approve the following reports: VSO Hours August 2025, States Attorney Secretary Hours August 2025, HR Reports DOE/Extension. All voted in favor. Motion carried.

At 1:25PM Feickert moved, Mardian seconded to adjourn the meeting. All voted in favor. Motion carried. The next regular Commission Meeting will be on Tuesday, September 16th beginning at 9:00AM and Tuesday, October 7th beginning at 9:00AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Chairman of Board of Commissioners