

McPherson County Board of Commissioners
Minutes of Proceedings
October 7th, 2025

The McPherson County Board of Commissioners met in regular session on Tuesday, October 7th, 2025, in the Commissioners chambers. Chairman Mark Opp called the meeting to order at 9:00AM. Members present were Mark Opp, Jeff Neuharth, Neal Woehlhaff and Mike Mardian. Absent Sid Feickert. The full meeting can be viewed at <https://www.youtube.com/@McPhersonCountySD>

Neuharth moved and Woehlhaff seconded to approve the October 7th agenda. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff “Aye”; Excused Feickert. Motion carried. No conflicts of interest were declared.

Neuharth moved and Mardian seconded to approve the September 16th Commission and Drainage minutes and the September 2nd Drainage Commission minutes with the following correction “Work was completed at the request of landowners during the February 4th, 2025, Drainage Commission meeting”, should read “Work requested on February 4th, 2025, Drainage Commission meeting was partially completed due to a mechanical breakdown”. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff “Aye”; Excused Feickert. Motion carried.

DRAINAGE COMMISSION:

At 9:05AM 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 9:15AM public comments were heard from: Mike Lapka, timeline for Eureka Building plat for Eureka City; Bill Conners, representing Leola Data Center, working on conditional use permit amendments. Full public comments can be heard at <https://www.youtube.com/@McPhersonCountySD>

CLAIMS APPROVED:

Access Elevator & Lifts, Annual Maintenance, \$977.00; AGC of SD, Hwy Supplies, \$665.00; Agtegra, Hwy/Courthouse Supplies, \$11,787.06; Amazon, Supplies, \$411.79; AMG, Hwy Random Tests, \$113.10; ATT, Cellphone/Hotspot, \$489.06; Auto Value, Hwy Supplies, \$176.27; Butler, Hwy Supplies, \$5,780.76; CentralSquare Technologies, 2026 Maintenance, \$379.92; Century Business Products, Printer Contract, \$70.25; CHS, Propane, \$3,301.54; Comfort Suites University, Ext Conf Hotel, \$220.00; Crawford Trucks & Equip, Hwy Supplies, \$1,057.41; CRS, Inmate Insurance, \$87.84; Curt’s Repair, Oil Change, \$97.00; Dakota Fluid Power, Hwy Supplies, \$211.72; Dickey Rural Telephone Coop, Server Maint/Fix, \$297.14; DMI, Hwy Supplies, \$1,865.85; Eureka City, 4th Qtr Rent, \$7,500.00; Eureka City, Utilities, \$131.00; Eureka Comm Health Services, Tests, \$227.90; FEM, Utilities, \$423.91; Flint Hills Resources, Hwy Supplies, \$16,678.17; Gene’s Oil, Fuel, \$1,741.77; Holiday Inn City Centre, DOE School, \$695.00; Intoximeters, Breathalyzer, \$449.00; Johnny & Renee Schwingler, Water Heater Replacement, \$1,398.76; Ken’s Food Fair, Shop Supplies, \$19.98; Kimball Midwest, Hwy Supplies, \$799.25; L-Tron, Paper, \$215.00; Lakeside Lumber, Hwy Supplies, \$50.83; Leola City, Utilities, \$206.60; Linde Gas & Equipment, Hwy Supplies, \$200.06; McPherson Co. Herald, Publishing, \$771.72; MDU, Utilities, \$745.87;

Menards, Courthouse/Aud Supplies, \$99.16; Microfilm, Equip Rent, \$364.40; National 4-H Council, Recognition Supplies, \$257.67; North Central E911, Sept Remittance, \$3,376.25; NW Blade, Publishing, \$384.45; Premier Equipment, Hwy Supplies, \$1,485.66; Ramkota, Fall Conf Hotel, \$448.00; Jackie Rau, Reimb/Meals, \$209.66; Rick Rau, Clothing Reimb, \$200.00; Ron's Service Center, Repair, \$175.60; Runnings, Courthouse Supplies, \$40.60; SD Assoc of County Officials, 2026 Dues, \$766.17; SD Dept of Public Safety, Boiler Inspection, \$80.00; SD DOT, Hwy Cost Share, \$642.54; SDACC, 2026 Dues, \$1,730.00; SDACC Catast, 4th Qtr, \$2,351.00; Share Corp, Hwy Supplies, \$926.74; Sheraton, VSO Conf Hotel, \$330.00; Taliaferro Law, Court Appointed Attorney, \$330.00; Thomson Reuters-West, Sept West Law, \$795.43; USPS, Juror Postage, \$280.80; Vestis, Courthouse Supplies, \$312.84; Visa, Subs/Fuel/Misc, \$197.77; Tiffany Weiszhaar, Reimb., \$105.60; CorTrust, Direct Deposit Fee/Deposit Books, \$220.82; Curtis Hoff, MV Refund, \$124.56; September Payroll Reimbursements: Neal Woehlhaff, Miles, \$361.80; Lindley Howard, Reimb, \$160.44; Hunter Heinrich, Meals/Miles, \$367.31; Vicki Geffre, Reimb, \$266.40; Sam Barrett, Miles, \$46.90.

Woehlhaff moved and Neuharth seconded to approve the forgoing claims. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

SALARIES OF OFFICERS AND EMPLOYEES:

Commissioners, \$6,637.10; Auditor, \$10,490.65; Treasurer, \$10,384.98; State's Attorney, \$6,920.43; Government Building, \$5,356.00; Director of Equalization, \$12,376.00; Register of Deeds, \$10,384.98; Veteran Service Officers, \$2,435.73; Sheriff, \$12,192.11; Extension, \$5,178.00; Weed Control, \$339.94; Road & Bridge, \$69,679.85; Eureka Joint Law, \$5,080.40; Leola Joint Law, \$4,500.00.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$12,092.05

Insurance: American Family, \$440.79; Avera, \$3,017.93; Guardian Vision, \$114.36; MetLife, \$159.55; South Dakota Retirement System, \$9,141.46; Colonial Life Vision, \$47.65.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Sheriff Department

Neuharth moved and Mardian seconded to approve an automatic supplement for sheriff vehicle deer hit claim \$11,407.46 to 101-0-373 and 101-211-425. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Commissioner Mardian attended the last Leola City Council meeting and was informed that Leola City plans to end their contract with the County for Joint Law Enforcement on December 31st, 2025. The commission requested that Leola City attend the next meeting.

Eureka Building

The changes to the contract for deed requested by Eureka City were discussed by the board. Eureka City has tested the curb stop, installed a water meter and had the A/C condensation on the roof fixed. With the plat for the building nearing completion the commission will have the State's Attorney incorporate the corrected legal into the contract for deed before final approval.

Auditor's Office

Neuharth moved and Woehlhaff seconded to approve the presented rosters of volunteers for the Eureka Fire Department, Eureka EMTs, Leola Fire Department, Leola EMTs and the Long Lake Fire Department; It is McPherson County's intent to cover these volunteers for workman's comp purposes and file the rosters for all listed entities in the Auditor's Office. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Neuharth moved and Mardian seconded to approve the following cash transfers: \$23,100 from General 101 to Eureka Joint Law 237 and \$23,300 from General 101 to Leola Joint Law 238. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Discussion was held on the current precinct lines and how many potential ballot styles that creates with a combined election for the primary in 2026. Consideration was given to moving precinct lines and the corresponding effect on ballot styles. Maps will be presented in November.

Courthouse Maintenance

Sharon Guthmiller gave an update on the boiler system. The south entrance steps were discussed, quotes may be sought for repair/replacement with the work being done in 2026, in the interim painting trip hazard areas on the entrance stairs was discussed. The Courthouse roof and insulation was discussed. Hub City Roofing could take a sample which would give the commission direction. Commissioner Mardian will coordinate with Hub City Roofing. Insulating the dome was also discussed. Discussion was held on possibly designating the north entrance as employee only and designating certain areas within the courthouse as employee only with the safety of customers and employees being the commission's priority. Tours of the employee-only areas would still be available if requested. Woehlhaff moved and Neuharth seconded to label the basement and 3rd floor as employee only and have appropriate signs and barricades be installed. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

The courthouse maintenance costs for 2019-2025 were presented to the commission.

Eureka Building

Mardian moved and Neuharth seconded to reopen discussion on the Eureka Building. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Questions were posed to Sheriff Ackerman on the holding cell located in the Eureka building and if it was ADA compliant.

Mardian moved and Woehlhaff seconded to close discussion on the Eureka Building topic. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Permits to Occupy Right of Way

Neuharth moved and Woehlhaff seconded to approve the following right of way permits: WEB Water to install potable water by boring under 331st Ave and 115th Street between Sections 17, 16 and 21 in T126N-72W; WEB Water to install potable water by boring under 114th Street between Section 11 and 14 of T126N-R73W. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Highway Department

Glenn Spitzer gave a department update on the blading with spot gravelling, gravel pit reclamation and mowing. This month the department will complete the foundation crack sealing and dig the landscaping shrub roots out at the courthouse. Discussion was held on a request to cut a minimum maintenance

road to install waterline, cutting grass section lines were also discussed. Prior to doing any work in the right of way landowners are expected to contact the Highway Superintendent to ensure they have the correct permits.

Approach Issues/Approach Ordinance and Permitting

The commission discussed with the Highway Superintendent what they would like to see included in an approach ordinance. The zoning board will work on an ordinance. Bruce Mack provided public comments on approaches and farm sites occupying both sides of a road.

Issues were presented with approaches being expanded without appropriate permits. In some cases, culverts were also covered.

Woehlhaff moved and Neuharth seconded to have the State's Attorney issue Brian Malsam a \$500 fine per approach built without appropriate permits and to require the removal of the approaches. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Mardian moved and Neuharth seconded to have the State's Attorney issue Bruce Mack a \$500 fine for an approach widened without appropriate permits; the approach may require future modification. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Commissioner Mardian stated that in 2019 he widened an approach without a permit to occupy the right of way. Commissioner Mardian voluntarily paid the \$500 fine.

Executive Session

Woehlhaff moved and Neuharth seconded to enter executive session at 11:10AM to discuss personnel matters SDCL 1-25-2(1). Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried. Mardian moved and Neuharth seconded to exit executive session at 11:37AM. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

As a result of executive session Neuharth moved and Woehlhaff seconded to have the Highway Superintendent interview 4 applicants for the Highway Secretary position with the help of an interview panel. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Extension

Jackie Rau joined the meeting and discussed the evaluation opportunity through the SDSU regional youth educator and her concerns.

Woehlhaff moved and Neuharth seconded to participate in the program evaluation through the regional youth educator with Commissioner Feickert also involved. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

Register of Deeds

Neuharth moved and Woehlhaff seconded to accept the Microfilm Imaging Systems quote for 1 month of rental for the BookEye Scanner for \$5,713, for the scanning to be completed after the 1st of the year. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

NON-ACTION COMMISSION DISCUSSION:

Flu shot Clinic, Leola Courthouse, October 21st – will use 1st Floor office space

REPORTS APPROVED:

Neuharth moved, and Woehlhaff seconded to approve the following reports: Register of Deed's Modernization and Preservation fees collected during month of September 2025 for the amount of \$260; HR Report Extension; Register of Deeds statement of fees collected during the month of September 2025 in the amount of \$4,343.91; Auditor's Account with the County Treasurer as of September 30th, 2025 as follows: total amount of deposits in Leola Bank, \$101,435.76; total amount of actual cash, \$1,497.57; total amount of checks and drafts in treasurer's possession not exceeding three days, \$30,575.16; Itemized list of all items, checks and drafts in the Treasurers possession over three days, EW Bad Check \$149.00; CD's, \$1,197,920.74; Super savings, \$1,237,759.62; total, \$2,569,337.85; September State's Attorney Secretary and VSO Hours. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

At 12:15PM Woehlhaff moved, Mardian seconded to adjourn the meeting. Upon roll call vote: Neuharth, Mardian, Opp and Woehlhaff "Aye"; Excused Feickert. Motion carried.

The next regular Commission Meeting will be on Tuesday, November 4th beginning at 9:00AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Mark Opp

Chairman of Board of Commissioners