

HAND COUNTY BOARD OF COMMISSIONERS

415 West 1st Avenue, Mail slot 7 & Suite 203
MILLER, SOUTH DAKOTA 57362-1346
(605) 853-2182

<http://hand.sdcounties.org/commissioner>
Community Alerts by www.alertsense.com

MINUTES OF THE AUGUST 2, 2022 MEETING

The Hand County **Planning and Zoning Commission** met in regular session in the commission chambers of the courthouse on August 2nd, 2022. Chairman Greg Palmer called the meeting to order at 1:00 P.M. with the following commission members present: Jim Jones, Jim Eschenbaum, Luke Wernsmann and Dan Jensen. The meeting was broadcasted live on YouTube with a link on the county's Facebook page.

Jaime Russell, zoning director, summarized the building permits received during July: Thomas & Patricia Hamiel - New home (Saint Lawrence Twp), Mitchell VanZee - Moving a garage (Saint Lawrence Twp), Harrold Terminal - Remove & replace damaged bin x 2 (Midland Twp), Heath & Andrea Mushitz - Shed (Miller Twp), and Eben & Donna Noyes – Replace a deck (Rose Hill Twp).

There was one plat to review entitled “**PETERKA’S ADDITION**”, “Tracts 2A & 5A”, in Section 3, T112N, R68W, Miller Township. Upon the motion of Jones & Eschenbaum, passed, the plat was referred to the county commissioners as suitable for approval.

The P&Z Commission reviewed the proposed Resolution to expand the discretionary formula. Upon motion of Eschenbaum & Wernsmann, passed, the Resolution was approved and recommended for the commission to adopt.

Commissioner Eschenbaum requested to reconsider the moratorium on high pressure hazardous materials pipelines. After considerable discussion, Eschenbaum moved to reinstate the moratorium but it died from lack of a second.

Brook Edgar of Helms and Associates (Engineers) and a significant number of people attended the commission meeting to speak out about the notice issued by the Federal Aviation Administration requesting comment on a proposed wind generation tower which would be erected southeast of Miller. The consensus of the guests was that the commissioners should intervene and prevent the tower from being built. After more discussion it was concluded that the project, Sweetland Wind Farm, was in compliance with the Federal guidelines, state guidelines and the conditional use permit of the county. The county and state trust the Federal Aviation Administration will act with due concern and regard for safety when they make a determination. The commission did sympathize with the concerns but could take no action because the guests had not gotten the item on the agenda for a decision. The commission could only offer an opinion.

It was moved by Eschenbaum & Jensen, and passed, to adjourn the Planning and Zoning Commission.

* * * * *

After a short break, the board returned so the Hand County Board of County Commissioners could meet in regular session, in the commission chambers of the courthouse, on August 2nd, 2022. Chairman Greg Palmer called the meeting to order at 2:15 P.M. with the following commissioners present: Jim Jones, Jim Eschenbaum, Luke Wernsmann and Dan Jensen. The meeting was broadcasted live on YouTube with a link on the county's Facebook page

Consent Agenda: Upon motion of Wernsmann & Jones, the consent agenda was approved with the following acknowledgements: Receipt of the Register of Deeds financial statement for June of 2022 and receipt of the payroll ledger for July of 2022. The following items were approved by this action: Approval of the July 5th 2022 minutes, payment of the claims (vouchers) as presented and listed later in the minutes.

4-H Director Ann Price met with the board to provide a programming update, a review of achievement days and to request permission to rent a camper spot on the state fair grounds rather than traveling back and forth. The cost was \$295 and was approved without opposition.

Sheriff Shane Croeni met with the board to explain that he would be working the **Sturgis Motorcycle Rally** between August 4 and 13.

At the request of Croeni, it was moved by Wernsmann & Jones, passed, to approve the hire of **Anthony Halverson** of DeSmet as a full time, uncertified deputy sheriff. Current entry wage is \$18.22 per hour. Halverson's expected start date will be August 15, 2022.

At the request of Croeni, it was moved by Jones & Eschenbaum, passed, to approve the hire of **James Waldrop** of Miller as a scheduled part-time, uncertified deputy sheriff. Currently entry wage is \$18.22 per hour. Waldrop's starting date is unknown.

At the request of Croeni, it was moved by Wernsmann & Jones, passed, to accept the resignation of full time deputy sheriff Joshua Zweber of Gettysburg. Zweber has requested to remain on the payroll as "PRN" (substitute) deputy sheriff.

The **public hearing** for **Mike Ames dba Hiway Store** was to have been held at 1:30 P.M. The hearing was delayed as a result of the planning and zoning meeting running long. At 2:38 P.M. the commission chair asked if anyone was present to offer testimony on the subject. Hearing no one speak up, it was moved by Jones & Eschenbaum, passed, to grant the application of Mike Ames / Hiway Store to transfer the alcohol license previously held with Edna Ames (deceased) as requested.

Items from the Planning and Zoning Commission were approved as follows: Peterka's Addition, Tracts 2A and 5A were approved upon motion of Wernsmann & Eschenbaum, and passed. The expansion of the discretionary formula as narrated in RESOLUTION 2022-05 was approved upon motion of Wernsmann & Jones, with all members voting in favor thereof by roll-call vote. The text of RESOLUTION 2022-26 follows:

RESOLUTION 2022-26

A RESOLUTION EXPANDING THE DISCRETIONARY FORMULA

WHEREAS, the County of Hand, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137(5), (6), and (7):

Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(5));