

# HAND COUNTY BOARD OF COMMISSIONERS

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The Hand County **Planning and Zoning Commission**, and Board of Adjustment met in the commission chambers of the courthouse on March 7, 2023. Chairman Luke Wernsmann called the meeting to order at 1:00 P.M. with the following other commissioners present: Jim Jones, Jim Eschenbaum, Dan Jensen and Greg Palmer. The meeting was broadcasted live on YouTube with a link on the county's Facebook page.

**Zoning Director Jaime Russell** informed the board that the "LEDCOR TECHNICAL SERVICES" conditional use permit application was intended for the April meeting, not the March meeting. Russell told the board they could remove that topic from the agenda.

The proposed agenda was approved as the official agenda upon motion of Jones & Eschenbaum and passed.

Aaron Eldridge and Tre Lester of **Summit Carbon Solutions** provided the board with an introduction of themselves and then a summary of the project in the area and in Hand County. Eldridge told the board that 91.4% of miles had been captured by easement and 90.6% of landowners have executed easements. Considerable discussion was had about the posture of Summit Carbon Solutions in previous visits and their reported disregard for the zoning ordinances of the county. Commissioner Jones asked about the ownership of Summit. Eldridge indicated that a South Korean company is an investor. Jones expressed concern about a foreign country having ownership in such a project. Eldridge asserted the federal government regulates those affairs.

Commissioner Eschenbaum told the board that he had conferred with the states attorney and drew their attention to section 509 of the zoning ordinance which may prohibit the pipeline as an acceptable land use. Considerable discussion followed about Summit's apparent disregard of the local authorities on acceptable land use.

Ultimately, the Summit representatives requested the board consider the right of way crossings. The consensus of the commissioners was that approving the crossing was "premature" since the Public Utilities Commission hasn't approved their project. When asked again, chairman Wernsmann told them the commission isn't ready to make a decision. Jones added that while the commission hasn't said yes, it also hasn't said no.

The commission took note of a letter from the **SD-Dept of Ag and Natural Resources** regarding the CAFO manure management plan for the Millerdale Hutterite Colony.

There were three plats before the commission. Staff reported that everything seemed to be in order. The plats were referred to the county commission for final approval.

Chairman Wernsmann opened the meeting to public input. Candice Lockner addressed the board about having the Planning and Zoning Board include members of the public. Lockner said that Hyde County's board is composed as such and they appear to like it. Lockner asked the commission to consider it.

Hearing no others, it was moved by Palmer & Jones, passed, to adjourn the meeting.