

KINGSBURY COUNTY BOARD OF ADJUSTMENT

The Kingsbury County Commission convened acting as the Board of Adjustment on Tuesday, October 20, 2020 at 11:00 AM. in the Courtroom of the Courthouse in De Smet, South Dakota, for the purpose of considering the CAFO / Conditional Use permit of Redstone Feeders. If granted Redstone Feeders would be able to expand their current operation from a 8,275 animal unit feed lot to a 22,550 animal unit Beef and Dairy in the SE 1/4 and NE 1/4 of Section 19-T110-R57W, Kingsbury County South Dakota. Board members present were Merle Walter, Shelley Nelson, Delmer Wolkow, and Roger Walls. Steve Spilde attended via Zoom. Chairman Walls presided.

Also in attendance were, Donna Palmlund, with the Kingsbury Journal, Brian Driscoll, Martin Clendening, Bob Montross, Bill Wilkinson, Ed Wilkinson, Ben Stout, Jim Coughlin, Tom Walsh, and Jay Leibel, attorney for Esmond Township. Attending via Zoom were Curtis Egan, Steve Westerbuhr and Midstate 1.

Walls turned the meeting over to Deputy State's Attorney, Jared Gass.

Gass turned the meeting over to Ty Eschenbaum, with A1 Solutions, representing Redstone Feeders. Eschenbaum presented a slideshow to those present with the screen being shared to those attending via Zoom. Eschenbaum the answered questions from the Board.

Gass requested comments from those in opposition to the project.

Leibel spoke on behalf of Esmond Township and questioned if the proper documentation had already been received, according to the ordinance. Leibel expressed concern over road conditions and increased traffic on township roads. Leibel also questioned if there was enough information to base a decision on.

Bill Wilkinson spoke to the concern of the road conditions stating Redstone Feeders has repaired roads on their own and at their expense for several years.

Ed Wilkinson addressed the issue of increased traffic stating that piping and cutting in the manure would cut down on traffic.

Eschenbaum addressed other concerns raised by Leibel.

Gass recommended the Board move into Executive Session for deliberation at the Board's discretion.

Walters moved and Wolkow seconded to adjourn from regular session and move into Planning and Zoning to review two proposed plats at 12:24 P.M. All present voting aye – 5, nay – 0. Motion carried.

Chairman Walls declared the Board out at 1:04 P.M.

Walters moved and Spilde seconded to approve the Conditional Use Permit with conditions stipulated by the Board. The following stipulation were read by Gass:

- a. That the Applicant comply with county regulations relating to the application of manure.

- b. That manure storage areas be constructed, and manure handling and disposal be performed in conformance with standards established by a DENR General Permit or NRCS Standards.
- c. That the proposed site has a professionally completed, third party Nutrient Management Plan (NMP) approved by SD DENR and that the NMP meet all applicable SD DENR State General Permit and Kingsbury County Zoning standards.
- d. That the applicant abides by mortality management in conformance with methods allowed by the South Dakota Animal Industry Board
- e. That the applicant abides by County setback regulations.
- f. That applicant provides proof of financial responsibility as set forth in Chapter 11. a. of the Kingsbury County Zoning Ordinance.
- g. That applicant enter into road haul agreements with any township in Kingsbury County subject to road use by the Class A Confined Animal Feeding Operation, and Kingsbury County, transferrable to new owners, which are subject to review upon new land application sites being added.
- h. That the applicant signs a letter of assurance.

The Board vote on the motion via roll call: Walls – aye, Wolkow – aye, Spilde – Aye, Nelson – aye and Walter – aye. Motion carried.

Meeting Adjourned.

Roger Walls, Chairman

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