

## KINGSBURY COUNTY BOARD OF ADJUSTMENT

The Kingsbury County Commission convened acting as the Board of Adjustment on Tuesday, October 22, 2019 at 9:15 a.m. in the Commissioner's room of the Courthouse in De Smet, South Dakota, for the purpose of considering the Conditional Use permit of Collin's Hutterian Brethren of Iroquois, SD, to pump and/or truck manure from their CAFO in Clark County to fertilize the following acreages: the W 1/2 Section 1, T111N, R58; SE 1/4 Section 2, T111N, R 58; SE 1/4 Section 34, T112N, R58; SW 1/4 Section 26, T112N, R58; SE 1/4 Section 26, T112N, R58; SE 1/4 Section 16, T112N, R58; NE 1/4 Section 32, T112N, R57; S 1/2 Section 19, T112N, R57; SE 1/4 Section 18, T112N, R57 in Kingsbury County, South Dakota. Community members present were Joey Wipf, Cornelius Waldner, Eugene Weerts, Erland Weerts, Lynn Perry, Mary Jennings, Earl Rusche, Lanette Parise, Larry Niles, Richard and Rosemary Franzen, Glen Rabenberg, and Matt Palmlund. Brian Friedrichsen and Ryan Russell with Dakota Environmental, States Attorney Gregg Gass, and Donna Palmlund with De Smet News were in attendance. Board members present were Joe Jensen as Zoning Officer, Steve Spilde, Shelley Nelson Delmer Wolkow, Roger Walls, and Merle Walter. Chairman Nelson presided.

### MINUTES

Spilde moved and Walters seconded to approve the minutes of October 8, 2019. All present voting aye, motion carried.

### CONDITIONAL USE HEARING

Jensen, Zoning Office, stated that on an application for Conditional Use was received in the Auditor's office on August 2, 2017. A Conditional Use Permit is needed for the movement in Kingsbury County because of the shallow aquifers in the area. No other paperwork had been received.

Gass verified notice of the hearing had been published in the legal papers. Barnard indicated it had.

Gass verified all adjacent property owners had been notified by certified mail by the applicant. Letters had been received by those present. Gass requested a list of those letters were mailed to.

Gass discussed hearing requirements and procedures and recommended the hearing be continued so that additional documentation can be submitted.

Walter moved and Spilde seconded for the Conditional Use Hearing to be continued to November 19, 2019 at 9:15 A.M. All present voting aye, motion carried.

Spilde moved and Wolkow seconded to adjourn from Board of Adjustment and move back into regular session. All present voting aye, motion carried.

Meeting Adjourned.

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Shelley Nelson, Chairman

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