

Hamlin County Board of Adjustment

Date: February 24th, 2020

The Hamlin County Board of Adjustment met on February 24th, 2020 at the Hamlin County 4-H Building in Hayti, SD. Board Members present were Larry Saathoff, Scott Popham, John Pantzke, Robbie Fedt, Stuart Schubloom, Jay Baldwin, and Doug Noem. Also present was Thomas Nealon from First District in Watertown and John Delzer, Hamlin County's States Attorney. A list of others attending the meeting is attached to the minutes and available in the Hamlin County Zoning Office.

Chairman Noem called the Board of Adjustment meeting to order at 1:00 P.M.

Motion by Pantzke, Second by Fedt to approve the February 24th Board of Adjustment Agenda. Motion passed unanimously.

Motion by Popham, Second by Schubloom to approve the January 20th Board of Adjustment Minutes. Motion passed unanimously.

1. New Business: Conditional Use – Rodney Elliott/Drumgoon Dairy. Property Description: NW ¼ of Section 6, Township 113N, Range 52W of the 5th P.M., Hamlin County, South Dakota. Motion by Fedt, Second by Pantzke to approve the conditional use permit for an expansion of the existing Class A CAFO. Nealon reviewed the staff report. Drumgoon Dairy is planning on expanding their existing Class A CAFO with a new freestall barn consisting of 1,150 mature dairy cattle and 200 heifers in a robotic milking station system. Rodney Elliott, David Elliott, and Brian Friedrichsen of Dakota Environmental spoke to the project and its proposed expansion. David Elliott stated they would be adding three people to help run this portion of their operation. Brian stated this system is similar to their existing operations with operation and maintenance as well as manure handling systems and storage. Pantzke asked Rodney if there had been any issues over the past couple years. Rodney stated they have increased their manure storage capacity and are adapting to new challenges. Noem asked if they were looking to expand on-site housing. Rodney stated they were not with only three additional employees. Noem opened the public hearing portion of the hearing. Deb Wehde spoke in favor of the proposed expansion and would look forward to possibly purchasing from Drumgoon in the future. Jared Namken spoke in opposition. He had questions on the stream that ran through the dairy site and downstream effects. He spoke of previous mistakes by Drumgoon in spreading manure on land that was not identified and asked questions on if tree plantings/shelterbelts would be considered on this site. Erik Schaefer spoke in opposition. Erik spoke to certain provisions in the Zoning Ordinance and concerns over the Nutrient Management Plan and Fly and Odor control plan. With no further public comment, Noem closed the public hearing portion of the hearing. Brian Friedrichsen addressed concerns brought up during the public testimony portion. They have worked with Corps of Engineers and NRCS on the stream that runs through the property and it has been determined as a closed basin and had received approval from those agencies for work done. Nutrient Management Plans have been approved by DENR in the past year and if any issues are found on the ground that DENR has a complaint process. Pantzke stated he would like to see a tree plan included in the project and added as a condition to granting the permit. Saathoff brought up concerns over manure handling and management and asked questions of who's responsibility it is if errors occur. Rodney stated they have insurance to cover contractors they use to spread manure, David Elliott stated they have had one formal complaint in

his time at the dairy. Amendment approved at May 11th, 2020 Board of Adjustment meeting: Board agreed that a tree plan is to be included as a condition of approval with plans submitted by Drumgoon with consultation of Hamlin County Conservation District and to be reviewed by the Zoning Officer. No further questions were asked by the Board. Nealon read the findings of fact. Noem called a roll call vote. Motion to approve the conditional use passed 6-0.

2. Open Discussion. Mark Stevenson scheduled time with Board to discuss backlot development and concerns over a portion of neighboring property being developed. He brought ideas on how to draft an ordinance to not allow residential development on backlots. Board instructed Staff to work with First District on bringing policy proposals to the next meeting for discussion and review.

With no further business, motion by Popham, Second by Fedt to adjourn the Hamlin County Board of Adjustment meeting. Motion passed unanimously.

It is the policy of Hamlin County not to discriminate on the basis of color, national origin, sex, religion, age, or disability in employment or the provision of services.