

Minutes of the Joint Jurisdiction Committee  
05/14/19

Chairperson Mike Bartley called the meeting to order. Committee members Bartley, Al Heuton, Robert Hill, Duane Knutson, Steve Meyer, Scott Mohror, Lee Ann Pierce and Mike Struck were present. Luke Muller with First District Association of Local Governments, Deputy County Development Director Richard Haugen and Brookings County Commission Department Director Stacy Steffensen were also in attendance.

A quorum was determined to be present.

Heuton moved/Hill seconded that the agenda for the May 14, 2019 Joint Jurisdiction Committee be approved as amended. Discussion on a general project timeline moving forward was added to the agenda. Motion carried.

Hill moved/Knutson seconded that the minutes from the April 25, 2019 Joint Jurisdiction Committee meeting be approved as presented. Motion carried.

Muller reviewed the general project timeline, working back from approving the final ordinance a year from now. Bartley said he would like some instruction on how to review the draft ordinance once it is complete. Pierce said if this committee doesn't understand it, they will need to rewrite it. She said citizens will need to be able to understand it, it needs to be clear to avoid litigation, and to easily administrate. Bartley said they can't expect it to be perfect; they need to get the general principles in place and let the planning commissions work through it. Heuton moved/Knutson seconded a motion to follow the project timeline as presented. Motion carried.

The group discussed CAFOs in the joint jurisdictional area. Muller said the draft is a combination of existing county zoning rules, and Codington County's joint jurisdiction ordinance. He said the aquifer protection area has its own cap on the number of animal units and the well-head protection area has its own regulations. Muller said they need to look at the land that is not in either of those areas.

Struck said the existing regulations provide little to no guidance, especially outside the aquifer protection area. He said he feels the joint jurisdiction ordinance should be more restrictive. Pierce said the definition of a feedlot should be the same throughout the ordinance, but they could restrict the number of animal units in the different areas. Struck said if they look at the setback requirements from the city limits, and the rules for Zones A and B, it is hard to find a site in the joint jurisdictional area to have a feedlot. And if they can find one, he said someone will probably want that area for future development.

Pierce said she likes the setback requirements. Muller said this may be another case where these requirements will need to be explained to other communities in the county. Struck said each community has to look at their own growth rates and come up with their own requirements. Hill said each community can do their own joint jurisdiction ordinance. Muller said it may also be hard to explain why SDSU can have a large feedlot closer to town than a citizen. But, Muller added, this ordinance won't apply to SDSU as they don't have to follow the city's or county's regulations.

Struck said when infrastructure and investments are made, people will go to those areas. He said land north of town will become more desirable, especially if the wet weather trends continue. Meyer said weather events have decreased the ability to develop in certain areas.

Bartley said they need to come up with the number of animal units they want to allow based on the setback from city limits. Knutson said to go with the table that is in the draft, but eliminate Class A

and B feedlots. Muller said that would mean no more than 1000 animal units in the joint jurisdictional area.

The board discussed setbacks from wells, and manure application setbacks and the definition of setback measurements. Muller said a current operation could expand within their classification, but a change in class would require a permit.

The next meeting was scheduled for Thursday, June 13, 2019 at 9:00 a.m.

Struck moved/Hill seconded a motion to adjourn. Motion carried.

Submitted by Stacy Steffensen  
Brookings County  
Commission Department Director