

UNAPPROVED MINUTES OF
July 24, 2023

The Moody County Commissioners met in special session on Monday, July 24, 2023 in the Commissioner's Room of the Courthouse at 9:00 AM, with the following members present: Chair Carla Bruning, Jerry Doyle, Randy Hemmer, Dave Reker, and Dan Miles, with Tawny Heinemann, Auditor as Clerk of the Board. Also present Marty Skroch, Commission Assistant, and Paul Lewis, States Attorney.

Chair Bruning called the meeting to order. Motion by Hemmer, seconded by Reker to approve the agenda. All voted "aye". Motion by Reker, seconded by Miles to enter into executive session at 9:00 AM pursuant to SDCL 1-25-2(3). Reason: Legal. All voted "aye". Motion by Doyle, seconded by Miles to resume regular session at 9:19 AM. All voted "aye". Motion by Reker, seconded by Hemmer to adjourn to conduct business as the Joint Board of Commissioners and Planning at 9:19 AM. All voted "aye".

Discussion on Resolution 2023072401, a Resolution Rescinding the Moratorium Established in Moody County Resolution 22032401. Motion by Doyle and second by Reker to recommend approval of Resolution 202307401 to be effective July 25, 2023. All voted aye.

Motion by Hemmer, seconded by Doyle to approve the following resolution to be effective July 25, 2023 with all members voting "aye":

RESOLUTION 2023072401
A RESOLUTION RESCINDING THE MORATORIUM ESTABLISHED IN MOODY COUNTY RESOLUTION 22032401.

WHEREAS, Moody County enacted Resolution 22032401 for the purpose of imposing a moratorium upon the issuance of any and all permits, licenses, or approvals for the construction, installation, or use of any pipeline, particularly those pipelines requiring the approval of the South Dakota Public Utilities Commission, traversing those lands contained within the unincorporated areas of Moody County, South Dakota; and

WHEREAS, Moody County enacted Ordinance 2023-01 for the purpose of putting into place zoning regulations that cover the issuance of Moody County permits, licenses, or approvals, for the construction and installation of hazardous substance pipelines that may traverses those lands contained within the unincorporated areas of Moody County, South Dakota; and

WHEREAS, Moody County's Ordinance 2023-01 shall take effect on July 25, 2023, and no attempt has been made to refer said ordinance to a public vote.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners does hereby lift the moratorium imposed in Resolution 22032401, and with the passage of this Resolution, hereby negates that prior Resolution.

Dated at Flandreau, South Dakota, this 25th day of July, 2023.

Carla Bruning
Chairman, Moody County Commissioners

ATTEST: Tawny Heinemann
Moody County Auditor

Susan Ahlers, Moody County Historical Society met with the Board to give an update on the Moody County Museum and presented a request for 2024 funding on behalf of the Historical Society.

Discussion was held on the 2024 Provisional Budget. Motion by Miles, seconded by Reker to approve the final draft of the Provision Budget and authorize publication, with the hearing for adoption of the Provisional Budget scheduled for September 5, 2023 at 9:05 AM. All voted "aye".

Motion by Miles, seconded by Hemmer to adjourn the meeting at 12:08 PM. All voted "aye".

ATTEST: Tawny Heinemann
Moody County Auditor

Carla Bruning, Chair
Moody County Board of Commissioners