

PLANNING COMMISSION MINUTES
July 5, 2022

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
 - Present: Bruce Haines, Steve Thiesse, Ray Gosmire, Lewis Bainbridge, Brenda Bode, Dave Anderson, Jeff Bathke & Karen Wegleitner
 - Absent: Kim Weitala.
 - Guests: Tom Kersting from SDSP and his team, AI Development Solutions, KFI Engineers, & 72 other guests.
3. Consider the proposed agenda.
 - Motion by Dave Anderson, seconded by Steve Thiesse, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest. Lewis Bainbridge and Dave Anderson declared a conflict of interest to item No. 16 on the agenda and will dismiss themselves from the meeting when No. 16 is discussed.
5. Consider the previous minutes. Motion by Steve Thiesse, seconded by Lewis Bainbridge, to approve the June 20, 2022 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. Consider a Plat of Lot 1 of Gee-Aye Addition in the SE1/4 of Section 20, T 101 N, R 60, West of the 5th P.M., Davison County, South Dakota, at the request of Gary & Amy Blase. This request is located in SE1/4 of Section 20, T 101N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

Discussion: There were no concerns or comments.

- Motion by Dave Anderson, seconded by Ray Gosmire, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitala – absent, Anderson – aye, motion carried.
8. Consider a Variance application requested by Robert & Linda Henglefeldt:
 - +/- 22 acres, creating a lot size of +/- 3 acres within Lot B, where the minimum lot size is 25 acres for a residence in the Agricultural District.
 - +/- 42' creating a setback of +/- 33' from the grain bin on the west property line, where the minimum front yard setback is 75' in the Agricultural District.
 - +/- 16', creating a setback of +/- 34' from the shed on the south property line, where the minimum side yard setback is 50' in the Agricultural District.
 - +/- 50', creating a setback of +/- 0' from the hoop shed on the south property line, where the minimum side yard setback is 50' in the Agricultural District.
 - +/- 27', creating a setback of +/- 23' from the grain bin on the south property line, where the minimum side yard setback is 50' in the Agricultural District.
 - +/- 75', creating a setback of +/- 0' from the silo bin on the west property line, where the minimum front yard setback is 75' in the Agricultural District.

This request is located in the SW1/4, ex Lot 1 & SE1/4 of Section 25, T 101N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was not present to answer questions.

Discussion: Lot A was platted out to sell to their son and Lot B for their residence. The board would like to know why Lot A is platted the way it is. The west property line is in the

middle of two silo bins. The Henglefeldts were not present to answer. The board was advised we will contact and find out the reason.

- Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – nay, motion carried.

9. Consider a Plat of Lots A & B of Henglefeldt Addition in the S1/2 of Section 25, T 101 N, R 60, W of the 5th P.M., Davison County, South Dakota, at the request of Robert & Linda Henglefeldt. This request is located in the SW1/4, ex Lot 1 & SE1/4 of Section 25, T 101N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was not present to answer questions.

Discussion: No comments on the plat.

- Motion by Ray Gosmire, seconded by Steve Thiesse, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – nay, motion carried.

10. Consider a Variance application requested by Jacob & Danialle Hohn of:

- +/- 22 acres, creating a lot size of +/- 3 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District.

This request is located in the SE1/4 of the SE1/4 of Section 12, T 101N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was present to answer questions.

Discussion: The board asked if the dark area on the map was a low area. Danialle Hohn said no, and the area has never had standing water. There were no other concerns.

- Motion by Lewis Bainbridge, seconded by Dave Anderson, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – aye, motion carried.

11. Consider a Plat of Lot 1 of Cheyenne's First Addition in the SE1/4 of the SE1/4 of Section 12, T 101 N, R 60, West of the 5th P.M., Davison County, South Dakota, at the request of Jacob & Danialle Hohn. This request is located in SE1/4 of the SE1/4 of Section 12, T 101 N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

Discussion: There were no concerns or comments.

- Motion by Ray Gosmire, seconded by Steve Thiesse, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – aye, motion carried.

12. Consider a Variance application requested by Tony Martin of:

- +/- 20.502 acres, creating a lot size of +/- 4.498 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District.
- +/- 35', creating a setback of +/- 40' from the shed on the east property line, where the minimum front yard setback is 75' in the Agricultural District.

This request is located in NE1/4 of Section 24, T 103N, R 62, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was present to answer questions.

Discussion: A house will be built in the future towards the west end of the property. The purpose of the 4.498 acres is it's his dad's land and they are conserving Ag ground.

- Motion by Steve Thiesse, seconded by Ray Gosmire, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – aye, motion carried.

13. Consider a Plat of Lot 1 of Grateful Lane Addition in the NE1/4 of Section 24, T 103 N, R 62, W of the 5th P.M., Davison County, South Dakota, at the request of Tony Martin. This request is located in NE1/4 of Section 24, T 103N, R 62, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

Discussion: The board asked if the driveway would go through the trees if sold and where will his water source come from. Tony replied with the driveway will go through the trees and he will have rural water as rural goes to his dad's property.

- Motion by Dave Anderson, seconded by Lewis Bainbridge, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – aye, motion carried.

14. Consider a Plat of Lots 1 & 2 of CJM Third Addition, a subdivision of Irregular Tract No. 3 in the SW1/4 of Section 32, T 104 N, R 60, W of the 5th P.M., Davison County, South Dakota, at the request of CJM Consulting, Inc. This request is located in Irregular Tract No. 3 in the SW1/4 of Section 32, T 104N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

Discussion: The CJM property is in the ETJ District. Chuck Mauszycki is selling Lot 1 to the city to expand their lift station and Lot 2 is being sold to the abutting neighbors to the east. The rest of his property will be platted out and sold in the future. The board asked if the property the lift station sits on be combined with Lot 1 instead of adding another lot. The Register of Deeds does not like to combine and vacate lots as it becomes confusing when you search years down the road.

- Motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – aye, motion carried.

15. Consider a Plat of Lot 1 of Suing Addition in the SE1/4 of Section 17, T 103 N, R 62, W of the 5th P.M., Davison County, South Dakota, at the request of Joe & Angela Suing. This request is located in SE1/4 of Section 17, T 103N, R 62, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

Discussion: Angela Suing stated when they bought the land a year ago it wasn't platted out and they want to do things the right way.

- Motion by Dave Anderson, seconded by Lewis Bainbridge, to recommend approval of the Plat to the County Commissioners. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,
Weitalla – absent, Anderson – aye, motion carried.

16. Consider a Conditional Use application to operate an Agriculture Product Processing Facility in the Agricultural District, at the request of South Dakota Soybean Processors,

LLC. This request is located in NW1/4, ex. Lot A of Johnson's Sub. & Lots H1 & H2 & SW1/4, ex RR, Lot H2 & SW1/4 of the SW1/4 of Section 11, T 102N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

Discussion: Administrator Bathke stated there was an information meeting on June 30th and all the questions asked and answered are on our website. We have had calls, letters, and emails for and/or against the soybean plant. South Dakota Soybean Processors, AI Development Solutions, and KFI Engineers were present and introduced themselves. Tom Kersting the CEO of SDSP and his team presented the proposed Ag Product Processing Facility.

SDSP is a value-added LLC of agricultural producers with emphasis on adding value to soybeans. SDSP will maintain a competitive position in the marketplace by providing safe quality products to customers with highly efficient and cost-effective processes. With two existing soy crush facilities in South Dakota, Volga, SD and St. Lawrence/Miller, SD, and over 25 years of operating experience, SDSP is a respected leader in the oilseed processing sector with oil and meal customers throughout the region. From 2017 to 2021 the Volga plant produced around 29.7M bushels and St. Lawrence around 3.7M. An estimated 50% of products are shipped by rail, via the Rapid City, Pierre and Eastern (RCP & E) rail line, with connections to the BNSF, CP, & UP rail lines. Civil Design, Inc. is assisting BNSF with the rail development efforts. The estimated rail traffic is 147 rail cars per week and 3-5 weekly switches. Currently, the highway sees 4,716 average daily traffic as of March 2022. The 434 average daily traffic are trucks. SDSP has been in constant contact with SD DOT, and who will have the ultimate say on appropriate infrastructure for safe traffic flows. The traffic impact study, required by SD DOT, will reveal what upgrades need to be done to ensure the safety is the top priority. The traffic study is being done by SEH out of Minnesota. SDSP firmly believes in safety, service, and sanitation. Safety is held at the highest regard for both facility operations and communities. All employees are trained to deal with solvent-hexane accidents with strict safety protocols. OSHA procedures and guidelines are followed. SDSP is a facility that processes products for human consumption and must comply with strict and stringent regulations to maintain food-grade certifications including, but not limited to control programs for commodity purity and cleanliness, pest, dust, order, and noise. SDSP seizes opportunities to support local schools, charities, boards, and businesses through donations, voluntary community leadership, and community service. SDSP has an opportunity to process sunflower seeds along with soybeans. Renewable diesel demand creates an overall vegetable oil deficit and sunflower is in an exceptional response position, with nearly 40% oil content and oil price premiums. SDSP has over 25 years of operating experience and are well positioned to address the market needs. The proposed site sits on +/- 296 acres south of Mitchell, SD, will be located just off Hwy 37 and 2 miles south of I-90, adjacent to BNSF Railway mainline, and proximity to power, natural gas, & water access. Mitchell is an ideal location for SDSP due to the business-friendly climate, highly skilled workforce, like-minded business community, ease to market, and quality of life. The site will bring in beans/seeds by truck and stored in grain storage. Beans/seeds enter off Hwy 37 onto 257th St where they are crushed to extract oil and process meal. Meal and oil are separated and sent to meal or oil storage where it will be shipped out by rail or truck. The proposed plant will use 460,000-530,000 GPD of water, will have 85-90 GPM est. wastewater, 6.0-6.5 MW with 5,000 - 6,000 kW total demand of power, and 3,000 MMBtu per day of natural gas. The SDSP soybean and sunflower plant will bring in 85 full-time employees with full benefits, utilization of local providers, state sales tax, city sales tax and

contractors excise tax revenue, and help local farmers with the high demand for locally produced grains. Construction for the plant will take place, if approved, in the fall of 2022 to summer of 2024 with a start up in summer/fall of 2025.

Public Questions and Answers

There were multiple people for and against the soybean plant. Some concerns from the public included traffic and safety measures from the increased traffic, road maintenance to County and Township roads, noise pollution, dust control, decreased property values, traffic blockage, environmental impacts, and time of year traffic study is being conducted. SDSP and A1 Development Solutions and their teams stated there is a traffic study being done required by SD DOT. The study will take 6-8 weeks and was started a week ago. The study is being done now and not months ago due to the amount of time it takes to request a traffic study and time to get on SEH schedule. SD DOT will determine safety and road updates based on the study and SDSP will follow what is recommended to make Hwy 37 safer. BNSF will determine how many cars and switches SDSP is allowed. The hours of operation will be anywhere between 6 A.M. to 6 P.M. No trucks or cars will be loaded and unloaded during the night. The trucks will take anywhere from 2 to 3 minutes to unload, and BNSF would like the rail cars to be loaded in a timely fashion to help prevent traffic blockage. The exact time of how long it will take to load rail cars hasn't been determined. The public concerns of road maintenance and dust control will be determined by Board of Adjustment. SDSP and A1 Development Solutions are in the process of finalizing a landscaping plan. They are willing to put in a shelterbelt. Also, they plan on putting in grass and habitat establishments to help protect wildlife. SDSP encourage abutting and surrounding neighbors of Mitchell to compare Volga, SD properties and the value of the Volga homes next to or near the soybean plant. The homes being built next to the Volga plant are not cheap homes. Many local farmers spoke of the positive impacts the plant will have on the community. Producing local soybeans will produce local revenue and bring in tax dollars for Davison County. People will sell, buy, and spend money locally. The plant will create jobs with full benefits and will attract new families and keep current families. Belief the plant will be a good neighbor and good thing for Davison County.

Board Questions and Answers

What is your vision/plan for the project? When will you know plan? - At the moment there is no set plan and/or vision as SDSP and A1 Development Solutions are still in the preliminary stages, and they are unsure of when they will have a set plan and/or vision. Will there be subcontractors, and will they be setting up camp on the jobsite? Will there be security? - Camping at the jobsite will not be allowed and there will be controlled access with fences around the jobsite. What is the average daily plant traffic? - The average daily traffic will be determined based on how much product will be made and shipped out, weight of trucks and how many trucks will need due to weight, where the trucks are coming from, north or south bound, and how many employees coming and going. What is your safety rating and incident reports? - SDSP have a full comprehensive safety program and follow OSHA guidelines. All employees are trained to respond to incidents. SDSP has very low incident reports. What is your daily wastewater? - The daily wastewater is 250-300 gallons. The City of Mitchell is planning on taking wastewater and in the process of finalizing agreement. If you have a fire or explosion, will it be contained? Yes, where the hexane is stored, it meets required containment by the state. Where are you getting water? - SDSP has options to obtain rural water, but with who hasn't been finalized. They will have to pay to upgrade system. Board has traffic and safety concerns. - SDSP and A1 Development Solutions can't answer for

DOT. The traffic study is required by DOT and SDSP will follow whatever DOT says when it comes to traffic and safety.

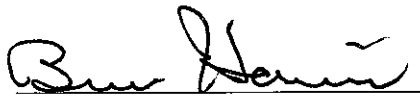
- Motion by Ray Gosmire, seconded by Steve Thiesse, to recommend approval of the Conditional Use to the Board of Adjustment. Roll call vote:
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – abstain, Bode – aye,
Weitalla – absent, Anderson – abstain, motion carried.

17. Additional Comments from the Group

- None

18. Set date and time for next meeting – August 2, 2022 @ 7:00 P.M.

19. At 9:50 P.M., a motion was made by Steve Thiesse, seconded by Brenda Bode, to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson

Karen Wegleitner

Karen Wegleitner
Deputy Director of Planning & Zoning