

## **LAW & LEGAL**

**APRIL 7, 2025**

The Law & Legal Committee held its monthly meeting on Monday, April 7, 2025 at 7:00 p.m. The meeting was held at the McDonough County Courthouse, 3<sup>rd</sup> Floor, Law Library. Committee Members present included Committee Chair Joe Erlandson, Vice Chair Ken Durkin, Clayton Cook, Travis Hiel, Ryan Litchfield, Terra Litchfield, and Terry Thompson. Member Jack Lowderman was absent. Other persons in attendance were Ric Smart, Sheriff Nick Petitgout, County Chair Eric Blakeley, County Board Secretary Sara Kluthe, and County Clerk Jeremy Benson.

Chair Erlandson called the meeting to order at 7:00 p.m.

### **Review & Approve March 3, 2025 Minutes**

Member Durkin moved with a second by Member T. Litchfield to approve the minutes as submitted. Motion carried on a voice vote.

### **Waste Management Update**

Report received and filed.

### **Tri-County Recycling**

Report received and filed. Member T. Litchfield informed the Committee that she is the only County Board Member on the Tri-County Recycling and Waste Management Board, we have 3 spots on that board. Mercer County would like to start meeting a few times a year. The Committee discussed the open spots and decided that they need filled, County Chair Blakeley will work on appointments.

### **Veteran's Assistance and Van Report**

Ric Smart gave the report. Ten Veterans were given assistance in March. Total assistance amounted to \$2,304.92.

### **Sheriff's Report**

Sheriff Nick Petitgout gave the report. He discussed the amount of money that was spent last month on mental health for the inmates. He inquired as to whether or not the 708 Board could help with providing services or with funding. Chair Erlandson is a Member of the 708 Board, he will see if they would be able to help in some capacity. Petitgout also held a discussion regarding the wind turbine that burnt, this wasn't discovered until the next day by RWE. Petitgout recommended that some type of fire alarm be put on the turbines so that 911 is notified if there is a fire, the results could have been really bad had this happened in the fall when dry crops are in the fields.

### **Assessor's Office Update**

Report was received and filed. Cousins has requested the Board consider increasing the meal allowance reimbursement, it has not been changed for several years. She provided the 2025 per diem rates for reference. This will be discussed at the Finance meeting on April 9<sup>th</sup>.

### **Discuss Burning Ordinance**

Petitgout would like a burn ordinance to be created so that when people burn during a burn ban, they can be fined. A discussion was held regarding who determines when there is a burn ban and how the Community would be notified.

### **Approve BESS Ordinance**

Chair Erlandson informed the Committee that he has not heard back from State's Attorney Kwacala, he will reach out to him in a few weeks. This will be put on hold until the May 5<sup>th</sup> meeting.

### **Claims Review and Approval**

Member Cook moved with a second by Member Thompson to approve the claims as submitted. Motion carried on a voice vote.

### **Other Items as Needed**

Member Cook discussed the turbine burning that is located in the Northern part of the County. Cook farms the ground next to it, 80 acres of ground surrounding the turbine has been roped off as it not safe to be near due to the blades. He highly recommends that some type of fire alarm be installed on the existing turbines, and that this be addressed with the new wind farm as well. Fire alarms can be added to the existing turbines, even though there is no capability to put out fires on the turbines due to their height, and the oil that is in them, the fire could be monitored and they could prevent the fire from spreading. County Chair Blakeley is going to reach out to Will with RWE to see what their plan is to address this issue.

Member Erlandson informed the Committee that South Dakota just passed a bill that prevents the use of eminent domain for the development of CO2 pipelines.

Member Cook asked if anyone knew the status on the Bill proposing to dissolve Townships with a population of under 500, Member Thompson believes that they have lost traction with it. This is a Bill that they have tried to pass for years.

### **Executive Session**

None.

### **Public Comment**

None.

### **County Board Chair Comments**

County Chair Blakeley talked to Maintenance Director, Chad Wilson regarding construction on the Courthouse. They found a crack in the sidewalk on the North East side, Wilson will talk to CAD to see what they will be doing about it. The downspouts will be put on this week, they will be working on cleaning up the yard, and there will be iron workers and carpenters here working on various things. The stonework is at a standstill, the stone is the wrong size, so CAD is trying to figure out if it can still be used. There will be a meeting next Thursday for an update on the project.

### **Adjourn**

Member Hiel moved with a second by Member T. Litchfield to adjourn the meeting at 7:57 p.m. Motion carried on a voice vote.