McPherson County Zoning Board and Board of Adjustment
Minutes of Proceedings
October 20, 2026

Call to Order

The McPherson County Zoning Board was called to order by Chairman Mike Mardian at 9:00 A.M. in the Courtroom. Members present were George Hulscher, Logan Heupel, Dan Mettler, and Mike Lapka. Also present were Hunter Heinrich from Zoning Administration, several people from the public, and people on Zoom. The full meeting can be viewed at https://www.youtube.com/@McPhersonCountySD

Agenda

Chair Mardian noted a change with the Commissioners Update agenda item to state that the Commissioners approved motions based on recommendations from Willem Hoffman.
George Hulscher moved, and Dan Mettler seconded to approve the agenda. All voted in favor. Motion carried.

Minutes

Dan Mettler moved, and Logan Heupel seconded to approve the August 11, 2026, special meeting for hearing of 26-CUP-04 for Leola Data Center. All voted in favor. Motion carried.
Chair Mardian discussed the wording in new business from October 16, 2026, and struck out the first, second, and fourth sentences. Dan Mettler moved, and George Hulscher seconded to approve the October 16, 2026, special zoning meeting minutes. All voted in favor. Motion carried.

Conflicts of Interest

No conflicts of interest were mentioned.

Old Business

Chair Mardian discussed the motion made on the setback waiver at the October 16, 2026 meeting. After reviewing a discussion with State's Attorney Hoffman, the motion stands as made. No action taken.
Chair Mardian discussed Parliamentary Procedure and expressed his desire for the Board to follow parliamentary procedures more closely. A quick-reference guide was provided in the back of each binder. No action was taken.

Public Comments

Public comments were heard from Linda Schauer, who addressed concerns regarding the Leola Data Center; Dan Mettler, who commented on the role of the Zoning Board; Patty Schaible, who addressed concerns regarding the Board and the Data Center; Kim Hoffman, who addressed concerns regarding the Data Center ordinance; Roxanne Gill, who addressed concerns regarding the Leola Data Center and the ordinance; Colin Hoffman, Leo Vilhauer, and Wade Weiszhaar, who addressed concerns regarding the Leola Data Center; Kenny Schaffer, who addressed concerns regarding a data center; Tod Gohl, who addressed concerns regarding the Leola Data Center and the Board; and Mike Mardian, who offered an apology and addressed outside opinions.

New Business

Updating the Data Center Ordinance. Mike Lapka made a motion to begin the process of updating and strengthening the McPherson County Data Center ordinance to include all newly

discovered information, along with provisions and recommendations previously brought forward. Dan Mettler seconded the motion. Board members had discussion, Chairman Mardian called on Willem Hoffman. Logan Heupel moved to amend the motion on the floor to recommend that the Commissioners begin the process of updating and strengthening the McPherson County Data Center ordinance to include all newly discovered information along with provisions and recommendations previously brought forward and to add a third party and to make sure that it is legal and covers everything that they want it to cover. George Hulscher seconded the motion. Roll call vote, all voted in favor, Motion carried.
Marian Kallas presented an informal citizens' petition containing 549 signatures. No action was taken.
Willem Hoffman spoke on 4 items that he believes would strengthen the Data Center ordinance section. Mike Lapka made a motion that the Leola Data Center furnishes the environmental study to be supplied as required by the ordinance. Dan Mettler seconded the motion. Mike Lapka made a motion to amend the previous motion adding "5.33.07" to the end of the motion. Dan Mettler seconded the motion. All voted in favor. Motion carried.
Willem Hoffman discussed the potential lack of experience in many counties, and the potential financial costs of hiring third-party consultants. George Hulscher moved to recommend to the County Commission the wording provided by Willem Hoffman, in Item 3 of Willem's information covering Engineering, Building code, and Legal third-party consulting. Logan Heupel seconded the motion. All voted in favor. Motion carried.
Willem also discussed proposed conditions.
After a recess at 11:39 A.M., the meeting resumed at 11:50 A.M.
Susan Luschas provided the Board with a paper that she and her husband, both of whom hold Ph.D.'s in engineering, prepared regarding a mathematical analysis regarding data centers. Dan Mettler moved to address data demands, and Mike Lapka seconded the motion. All voted "nay." Motion failed.

Board of Adjustment
Dan Mettler moved, and Logan Heupel seconded to go into the Board of Adjustment at 12:15 P.M. All voted in favor. Motion carried.
A variance hearing was held on 26-V-08 for Boulder Hutterian Brethren to place a shelter belt less than 150 feet from the center of the road. S1/2SW1/4 EXCEPT FOR BOULDER CEMETERY ADDITION of Section 30-Township 125N-Range 71W. Hearing no proponents or opponents, Logan Heupel moved to consider Variance 26-V-08. George Hulscher seconded the motion. During discussion, the Board noted that Glenn Spitzer, who was not present, did not support a variance allowing a shelter belt 60 feet from the center of the road. No specific hardship was identified. Upon a roll call vote, all members voted "nay". The variance was denied.

A hearing was held on Conditional Use Permit 26-CUP-04 for the Leola Data Center's proposed data processing center in that part of the E1/2 of Section 28-T126N-R68W of Spring Township in McPherson County, SD. Proponents for the CUP included: Bill Connors of Leola Data Center. Opposition to the conditional use permit included a petition presented by Marian Kallas containing 549 signatures requesting denial of 26-CUP-04, and a statement from Flossie Knoepfle. Mike Lapka moved to discuss Conditional Use Permit 26-CUP-04 for the Leola Data

Center. Logan Heupel seconded the motion. Roll call vote, all in favor. Motion carried. Logan Heupel made a motion to table Conditional Use Permit 26-CUP-04 to another time until more clarity is given through approved amendments. Second by Dan Mettler. Roll call vote, all voted in favor. Motion carried.

Dan Mettler moved, and Logan Heupel seconded, to adjourn as the Board of Adjustment at 12:50 P.M. All voted in favor. Motion carried.

Plats
No plats were discussed

Building Permits
Building permits 26-23 – 26-41 were discussed. 26-23 – Jacob Lux- New Dwelling; 26-24-David Gienger-House Addition; 26-25-Darvin Blumhardt-Antenna Equipment; 26-26- Waltman Farms-Shop Addition; 26-27-Jerry Geffre-New Shop; 26-28 Jeremy Hoff- House Addition; 26-29- Travis Mehlhaff- Commodity Shed; 26-30- Mark Hoffman- New Hoop Barns; 26-31- Collin Kessler- New Dwelling; 26-32- Jake Harms- Finishing Pole Barn Interior; 26-33- Reid Johnson- New Dwelling; 26-34- Wesley Schaible- New Dwelling; 26-35- Pat Lapka- Pole Barn Addition; 26-36- Grassland Hutterian Brethren Inc.- New Dwelling; 26-37- Kunz Northern Kross Ranch- New Pole Barn; 26-38- O Ranch Inc. – Cement pad; 26-39- Boulder Hutterian Brethren Inc. – New Dwelling; 26-40-Brian Geffre- Garage Addition; 26-41-Long Lake Colony-New dwelling

The next meeting is tentatively scheduled for November 5, 2026, at 9:00 A.M.

Adjournment
Logan Heupel moved to adjourn the meeting, and George Hulscher seconded the motion. All voted in favor. Motion carried. The meeting adjourned at 12:52 P.M.

Hunter Heinrich — Mike Mardian

Zoning Administrator — Chairman of the Zoning Board