



**JOINT MINNEHAHA COUNTY & CITY OF DELL RAPIDS
PLANNING COMMISSION
MEETING MINUTES**

JUNE 23, 2025

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & DELL RAPIDS PLANNING COMMISSIONS
June 23, 2025**

A joint meeting of the County and City Planning Commissions was held on June 23, 2025 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Commissioners Bonnie Duffy, Becky Randall, Mike Ralston, Adam Mohrhauser, Ryan VanDerVliet, and Cindy Heiberger.

CITY PLANNING COMMISSION MEMBERS PRESENT: Virgil Klein, Steve Hoff, Kurt Peppel, and John Pollman

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, & Mason Steffen – County Planning
Maggie Gillespie – States Attorney's Office
Sheldon Jensen – City Planning

The County Planning Commission was chaired by Commissioner Bonnie Duffy. The City Planning Commission was chaired by Commissioner Virgil Klein.

Commissioner Duffy called the Joint Minnehaha County and City of Dell Rapids Planning Commission meeting to order at 7:00 p.m.

PUBLIC COMMENT

Commissioner Duffy opened the floor for public comment and nobody moved to speak.

ITEM 1. Approval of Minutes – April 28, 2025

A motion was made for the County by Commissioner VanDerVliet and seconded by Commissioner Heiberger to **approve** the meeting minutes from April 28, 2025. The motion passed with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Hoff and seconded by Commissioner Klein to **approve** the meeting minutes from April 28, 2025. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



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ITEM 2. CONDITIONAL USE PERMIT #25-36 to allow Quartzite Processing, Stockpiling, & Loadout on the properties legally described as the SE $\frac{1}{4}$ Including Tract 1, Lot 1 Tract 2 & Tract 3 Section 10 and Tracts 1 & 2 SW $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Ex. S540' E of River & Ex. H-1 & H-2 & Ex. Tracts 1 & 2 Everist's Addition) Section 11 all within T104N-R49W Dell Rapids Township.

Petitioner: L.G. Everist, Inc. (c/o Chris Klein)

Property Owner: L.G. Everist, Inc. (c/o Rob Everist)

Location: 47555 Jasper Street

Staff Report: Kevin Hoekman

General Information:

Legal Description – SE $\frac{1}{4}$ Including Tract 1, Lot 1 Tract 2 & Tract 3 Section 10 and Tracts 1 & 2 SW $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Ex. S540' E of River & Ex. H-1 & H-2 & Ex. Tracts 1 & 2 Everist's Addition) Section 11 all within T104N-R49W Dell Rapids Township

Present Zoning – A-1/RC Agricultural & Recreational/Conservation

Existing Land Use – Quarry/Farmland

Parcel Size – Approximately 258.5 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

This request is to allow the processing of rock materials in conjunction with an existing quarry. The existing quarry and operations straddle the east boundary of the City of Dell Rapids. Most of the existing processing and sorting are located within Dell Rapids, while the triangular shaped quarry is mostly located in Minnehaha County. Much of the current quarry is surrounded by a railroad which is used to loadout materials. The quarry has been operating for nearly 100 years, and the use is a prior existing use. The requested CUP is to allow the accessory operations of the quarry such as processing, stockpiling, expanding the railroad, and loadout activities to extend east from the current quarry boundary. There is no new extraction area planned for the expansion area at this time, and all existing quarry area will remain as a prior existing land use.

A brief narrative and site plan were provided in support of the application. The narrative explains that the quarry started in 1927. The site plan provides some detail on where aspects of the proposed processing will be located. The site is already surrounded by berms to reduce flood chances for the site. A floodplain development was obtained for the berms.

The floodplain is a significant consideration in the development of this property. Berms have been permitted and constructed around the project area. The project area has fill placed to elevate nearly all the land within the bermed area. The berm, however, is not certified with the Corp of Engineers and FEMA as a levee. Without the certification, all the area within the berm is still considered as located within the floodplain.

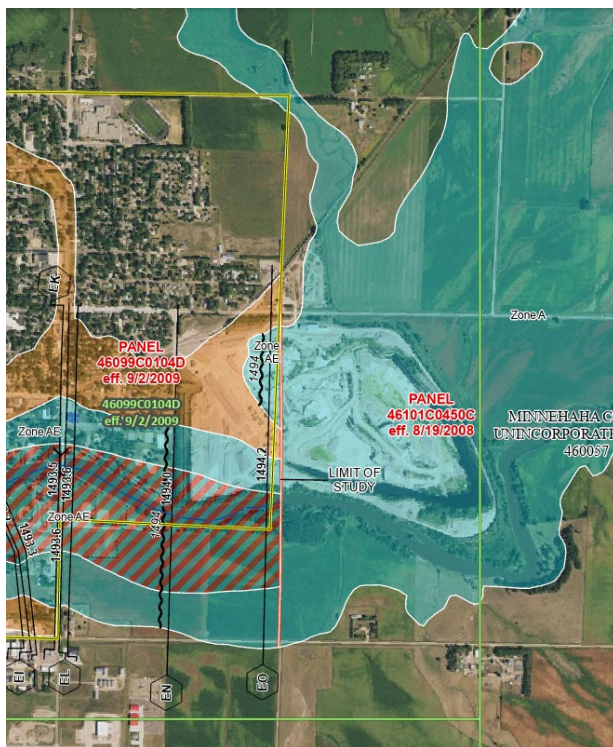
An additional floodplain development permit will be required for any building constructed in the project area. The type of permit and requirements that need to be met will change depending on



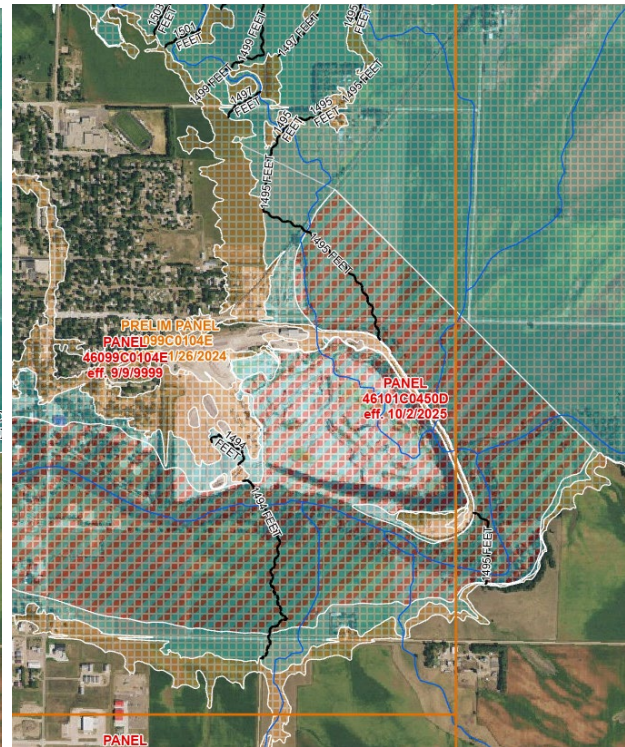
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several factors including whether the berm is certified as a levee, and the timing of when the permit is obtained. Without certification of the levee, any building placed within the bermed area will need to be elevated or floodproofed above the flood elevation. Alternatively, the property owner can apply with the Corp of Engineers and FEMA for certification that the levee will protect against a 100 year flood. Then work within the leveed area could proceed without further floodplain requirements.

The applicant should be aware that FEMA has been working on updates to floodplain maps for some time. Preliminary maps were issued and are still under further review. The final issued maps may still change. The preliminary maps extend the area of studied floodplain to the east of Dell Rapids to include the entire quarry area. Part of the study area expansion includes expanding the area determined as floodway which has extra regulations for development. The petitioner should be aware of changes in floodplain mapping and how it may affect the quarry and processing. The photos below are snips of the FEMA Flood Map Changes Viewer. The image on the left is the currently adopted floodplain for the area. The image on the right is the preliminary map of the area. The crosshatched area on the map is the area designated floodway.



Existing Floodplain Map



Preliminary Floodplain Map

Conditional Use Permit Criteria:

1) The effect upon the use and enjoyment of other property in the surrounding area for the uses already permitted, and upon property values within the surrounding area.

The proposed land use is an extension to the east of the existing quarry operations. This is further away from the city of Dell Rapids and into the flat floodplain area of the Big Sioux River. The



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new berm that surrounds the processing is approximately ¼ mile to the nearest house to the southeast. Two other residential houses are located approximately 2000 feet straight east of the berm. The new area would meet the required 1,000 feet setback from a dwelling if the expansion included direct mining operations. The long separate distance should reduce many concerns about impacts to neighboring land uses.

A new driveway access is proposed onto County Highway 104. The new driveway will be the primary access for trucks and likely include some employee access. The driveway access will increase traffic to the west of the entrance onto County Highway 104. Any traffic coming or going to the east is likely already happening to access the quarry at the current entrance; therefore traffic impact will be limited east of the site.

2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The existing quarry operation is located on the east edge of the City of Dell Rapids. The expansion is located on the east side of the existing quarry operations. The requested site is further from the city than the current activities.

The location of the site is within the floodplain for the Big Sioux River. The quarry obtained a floodplain development permit in 2020 to construct the berms that surround the proposed expansion. The berm that is already constructed creates some changes to the floodplain, but the floodplain generally will limit other nearby development regardless of the elevation of the floodplain. Development in the city will not likely grow into the floodplain.

3) That utilities, access roads, drainage, and/or other necessary facilities are provided.

The proposed land use will require some utilities that the petitioner will be required to extend where needed. If water and bathrooms are installed, onsite wastewater treatment will need to be engineered and approved by the state prior to issuance of a septic permit by the county. Drainage for the site was affected by the construction of the berms around the site that were approved prior to this permit request. The proposed request will have little change for drainage from the site.

4) That the off-street parking and loading requirements are met.

The proposed land use may create the need for additional off street parking depending on what gets finalized and built. The property is large enough to accommodate all parking and loading that may be required. No loading shall be allowed within the right of way.

5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.

The proposed land use will expand the processing of quarry material adjacent to an existing quarry. Quarries and processing of materials have the potential to create nuisances, namely noise and dust. No conditions for this permit will extend to the existing quarry operations.

The long distance the proposed land use has from neighboring residential land uses is perhaps the best way to reduce nuisance concerns. This is especially true regarding noise levels. The nearest dwelling is approximately 1,400 feet to the southeast of the berm. The noise of the processing should meet the same requirements for new quarry operations. Noise requirements for



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new operation are restricted to not exceed an average of 55 decibels recorded over a 10 minute period measured at the nearest existing residence to the extraction operation.

The applicant stated that the quarry already uses dust control measures with current operations, and that the dust control measures will be continued with the new processing facilities. Dust control measures mainly include various uses of water used to prevent dust from blowing. Staff suggests that dust must be contained, and that monitoring be used to ensure that dust is not a nuisance.

6) Health, safety, general welfare of the public and the Comprehensive Plan.

The proposed use is consistent with Comprehensive Plan and existing land uses. Goal 6.5 of the Environmental Stewardship section of the Plan recognizes that mining within the County is an un-renewable resource and beneficial to the economy of the County and welfare of its people. This land use supports current and ongoing mining operations through processing the products extracted from the quarry. The City of Dell Rapids was provided and reviewed the materials for this permit request, and no additional concerns were raised by city staff.

Recommendation: Staff recommends **approval** of Conditional Use Permit #25-36 with the following conditions:

- 1) This permit is to allow processing and shipping of materials within the area of the provided site plan.
- 2) The approved uses for the subject property and approved by this conditional use permit shall be as follows, material stockpiling, settling and hold ponds, rinse deck area, loading facilities, automated conveyor belt system used in conjunction with loading of material, and rail system.
- 3) All floodplain development requirements must be met and maintained for any new construction within the project area.
- 4) The ambient air quality standards for total suspended particulate matter shall be 150 micrograms per cubic meter of air as a 24-hour average not to be exceeded more than once a year, and 60 micrograms per cubic meter of air as an annual arithmetic mean. The standards for PM10 (10 micrometers or less in size) shall be consistent with the regulations of the State of South Dakota. Air quality monitoring shall be conducted weekly during the plant production season.
- 5) The County Planning Department shall direct the operator to install air quality sampling stations if the standards appear to be exceeded. Such monitoring shall be at the operator's expense.
- 6) The sound level from on-site operations shall not exceed an average of 55 decibels recorded over a 10 minute period measured at the nearest residence.
- 7) That one (1) off-street parking place for each employee and two (2) customer off-street parking spaces shall be provided.

Public Testimony & Discussion

Kevin Hoekman, of county planning staff, presented the staff report and recommendation to the commission.



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Commission Hoff asked staff about the access onto the County Highway and if consideration was given to requiring a left-turn lane. Kevin Hoekman explained that the County Highway Department had communicated that they had approved the access, but did not provide any additional details.

The petitioner, Chris Klein, presented a brief synopsis of L.G. Everist and explained that they have been operating at the east Dell Rapids quarry since 1927. He also explained that L.G. Everist bought the subject properties in the 1970s with the intent to utilize the area within the quarry, but that work on the berm only started in 2018 and was recently finished. Mr. Klein further stated that the driveway has essentially been approved, but that they have not received the final permit as of yet, and that the design of the driveway does consider large truck traffic.

Commissioner Hoff asked for further clarification on the driveway because the design visualization that was submitted only included single trailer trucks.

Lance Pollman, Engineering Manager for L.G. Everist, explained to the commission that the plans submitted were just a concept and that the driveway will be fifty feet wide and designed to handle double trailer truck traffic. He also explained that they have designed an apron that will tie into the highway and allow more space for larger turn radius trucks. Finally, he explained that he believes the driveway is within the fifty-five mile per hour zone, but that the County Highway Department did not bring up adding a left-turn lane during approval of the access.

Chris Klein returned to the podium and explained that L.G. Everist would like to make several changes to the proposed conditions from staff. First, he wanted to change condition three to only require floodplain development permits for regularly inhabited structures and not all structures. Next, he explained that he would like to see condition five removed from the conditions because he saw it as redundant to condition four. Finally, he stated that they would like to add a new condition regarding hours of operation, in order to match the hours at the west Dell Rapids quarry.

Commissioner Klein asked the petitioner if it was their intent to have all the truck traffic eventually enter at this new driveway, or would some traffic remain at the old entrance. Chris Klein explained that it is likely that most of the traffic would move to the new entrance in the future.

Kevin Hoekman returned to the podium and addressed the proposed condition changes by the petitioner. Kevin explained that the Federal Emergency Management Agency (FEMA) requires any structure within the floodplain to obtain a floodplain development, regardless of habitation status, and therefore condition three cannot be changed. Kevin also explained that condition five would allow the Planning Department to require more air quality monitors to be installed, if complaints are received, and so it is not redundant to condition four. Finally, Kevin stated that it would be up to the commission to decide if they wanted to limit the hours of operation for this site to match the other quarry.

Peter Rasmusson, of 128 W Carmel Lane, Sioux Falls, SD, asked planning staff if visual impacts on neighboring properties was considered during the staff review process.



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Kevin Hoekman explained that the nearest residence is over 1,000 feet away, and that this would meet the required setbacks if extraction was taking place on the site. Therefore, he explained that direct visual impacts on neighbors was not considered since no extraction is taking place on the site, and that fences or other screening would not be feasible in this location.

Peter Rasmusson suggested that the petitioner could plant trees along the berm, which would limit dust and noise to current and any future neighbors.

Chris Klein returned to the podium and explained that they would normally plant trees along berms to help screen the site, but that it is not feasible in this case because it would deteriorate the integrity of the flood berm.

Jeff Kuper, 47649 Jasper Street, Dell Rapids, SD, asked if the stockpiling of materials would go beyond the area within the berm because the map sent to the neighbors highlighted the entire property. He also asked if it was possible to plant trees to the east of the berm in order to further screen the site from his property. Finally, he stated that he would like the driveway to be moved further to the west, and that a left-turn lane should be considered, due to the traffic conditions on the highway.

Chris Klein stated that it is up to the County Highway Department to require a left-turn lane, and that L.G. Everist could plant trees in an area outside the berm to the east side of the site. He also confirmed that the stockpiling and processing will be limited to the area within the berm, and that the notice map highlighted the entire property for notification purposes.

Commission Heiberger commented that the neighbors need to bring their concerns about the driveway and left-turn lane to the County Highway Department because their office handles the approval of driveway requests onto county highways.

Action

A motion was made for the County by Commissioner Heiberger and seconded by Commissioner Randall to **approve** Conditional Use Permit #25-36 with eight conditions, including the hours of operation suggested by the petitioner. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Hoff and seconded by Commissioner Peppel to **approve** Conditional Use Permit #25-36 with eight conditions, including the hours of operation suggested by the petitioner. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Conditional Use Permit #25-36 – Approved With The Following Conditions:

- 1) This permit is to allow processing and shipping of materials within the area of the provided site plan.
- 2) The approved uses for the subject property and approved by this conditional use permit shall be as follows, material stockpiling, settling and hold ponds, rinse deck area, loading



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facilities, automated conveyor belt system used in conjunction with loading of material, and rail system.

- 3) All floodplain development requirements must be met and maintained for any new construction within the project area.
- 4) The ambient air quality standards for total suspended particulate matter shall be 150 micrograms per cubic meter of air as a 24-hour average not to be exceeded more than once a year, and 60 micrograms per cubic meter of air as an annual arithmetic mean. The standards for PM10 (10 micrometers or less in size) shall be consistent with the regulations of the State of South Dakota. Air quality monitoring shall be conducted weekly during the plant production season.
- 5) The County Planning Department shall direct the operator to install air quality sampling stations if the standards appear to be exceeded. Such monitoring shall be at the operator's expense.
- 6) The sound level from on-site operations shall not exceed an average of 55 decibels recorded over a 10 minute period measured at the nearest residence.
- 7) That one (1) off-street parking place for each employee and two (2) customer off-street parking spaces shall be provided.
- 8) Hours of operation shall be from 6:30 am to 6:00 pm from Monday thru Friday and 7:00 am to 1 pm on Saturday, except as authorized by the Planning Director.



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Old Business

Kevin Hoekman, of county planning staff, presented an update to the commission on Conditional Use Permit #25-02 for outdoor industrial storage. He explained that a condition was added on the permit that staff review the site by July 1, 2025, to ensure compliance with the vehicle licensing requirement. Kevin explained that he visited the site in mid-June and only a few unlicensed vehicles remained. He further stated that the owners of these vehicles had not renewed their leases beyond July 1, and that the owners of the site have added an addendum to the lease requiring vehicles on the site to be licensed. Finally, Kevin explained that he will visit the site again on or around July 1 in order to ensure the remaining unlicensed vehicles have been removed.

New Business

None.

Adjourn

A motion was made for the County to **adjourn** by Commissioner Ralston and seconded by Commissioner Heiberger. The motion passed unanimously.

The same motion to **adjourn** was made for the City by Commissioner Peppel and seconded by Commissioner Pollman. The motion passed unanimously.

The meeting was **adjourned** at 7:38 p.m.