

ORDINANCE NO. 2020-05

AN ORDINANCE OF MCCOOK COUNTY, SOUTH DAKOTA, AMENDING ORDINANCE NO. 2014-01 – 2014 REVISED ZONING REGULATIONS FOR MCCOOK COUNTY BY ADDING REGULATIONS RELATED TO SOLAR ENERGY CONVERSION SYSTEMS.

BE IT ORDAINED BY MCCOOK COUNTY, SOUTH DAKOTA:

Section 1. *That Chapter 11 of the 2014 Revised Zoning Regulations for McCook County, South Dakota, is hereby amended to include the following:*

11.19 Commercial Solar Energy Conversion Systems

The regulations regarding Commercial Solar Energy Conversion Systems (hereafter referred to as CSECS) shall be as follows:

- A. Intent. The intent of these regulations is to facilitate the construction, installation, and operation of CSECS in McCook County in a manner that promotes economic development and ensures the protection of health, safety, and welfare of the public while also avoiding adverse impacts to important areas such as agricultural lands, conservation lands, rural residences, and other sensitive areas. They are not intended to abridge safety, health, or environmental requirements contained in other applicable codes, standards, or ordinances.
- B. Federal, State, and Local Requirements. All CSECS shall meet or exceed standards and regulations of the U.S. Department of Energy, the International Energy Conservation Code (IECC), the Federal Aviation Administration (FAA), National Electric Code (NEC), South Dakota State Statutes, and any other agency of federal, state, or local government with the authority to regulate such facilities in McCook County.
- C. Applicability. These regulations shall apply to all Commercial Solar Energy Conversion Systems, being those designed primarily for delivering electricity to the power grid and distributed to the end user by electric utilities or power system operators.
- D. Conditional Use Permit Required. CSECS shall be allowed only as a Conditional Use on parcels or lots zoned AG: Agricultural District.
- E. Conditional Use Permit Application/Review.
 1. Application Contents. In addition to the requirements of Chapter 17.01(A), every conditional use permit application for a CSECS shall include the following information:
 - a. A generalized plan for connecting the proposed project into the utility

grid. This shall include evidence that an interconnection request for the project has been filed; or if an interconnection request has not been filed, all other utility interconnection information requested by the Board of Adjustment.

- b. General information regarding the type, size, height, rated power output, performance, and safety of each model of CSECS that will potentially be used for the project.
- c. At least one (1) photograph or scaled drawing of each model of CSECS that will be potentially used on the project. Each photograph, scaled drawing, or combination thereof for each model of CSECS provided shall be sufficiently detailed to show its maximum height, dimensions, and general design.
- d. A location map drawn to scale of all occupied structures within a half (1/2) mile of the boundary of the property upon which the CSECS project is proposed to be located.
- e. A topographic map of the site including all wetlands, floodplains, floodways, and any other sensitive environmental areas. If any wetlands, floodplains, floodways, or other environmentally sensitive areas are located on the site, the applicant shall provide a plan for how they intend to minimize or prevent harmful impacts to these areas.
- f. A generalized plan regarding the handling, processing, treatment, storage, and disposal of any wastes, fluids, or pollutants that will be generated, emitted, or discharged during the lifetime of the project.
- g. Project schedule with anticipated construction date(s) and completion date(s).
- h. General information regarding how the applicant intends to protect livestock, protect and segregate topsoil from subsoil in cultivated lands, protect tile drainage, protect drainage ditches, control dust, and minimize the impacts of soil compaction.
- i. General information regarding the species and habitats that could potentially be impacted by development on the site. This shall include information not just about the site itself, but also about neighboring properties, because development next to sensitive habitats can greatly impact species.
- j. A location map drawn to scale or other documentation identifying all state,

county, township, or municipal “haul roads” that will be used for the CSECS project. Where practical, existing roadways shall be used for all activities associated with the project. Where practical, all-weather roads shall be used to deliver all heavy components to and from the project site. Additionally, the applicant shall, prior to the conditional use permit public hearing, enter into negotiated written road haul/maintenance agreements with the appropriate state, county, township, or municipality having jurisdiction over the identified haul roads. For County and Township roads, the owner/developer of the project shall accept responsibility for all additional costs resulting from its use of all haul roads. For purposes of this Section, additional costs shall include all work and material costs incurred over and above the average cost of maintaining that specific road or type of road, whichever is greater. Failure to correct or supplement this information within thirty (30) days of making any change shall constitute grounds for review of the conditional use permit.

- k. A Preliminary Decommissioning Plan for the CSECS project in conformance with the standards of Chapter 11.19(H). The plan shall include a description of the manner in which the permittees will ensure that it has the financial capability to carry out the decommissioning process and any restoration requirements when they go into effect. This may include, but is not limited to, establishing an escrow account into which the permittee will deposit funds on a regular basis over the lifespan of the project. The Board of County Commissioners shall have access to the financial resources for the explicit purpose of decommissioning unless such financial resources are required to be available to a federal or state agency that is responsible for ensuring proper decommissioning. Finalization of the Decommissioning Plan shall occur after the submission deadline outlined in Chapter 11.19(H)(1). Given the probability that the amount and type of financial resources required for decommissioning may change over time, the exact terms of this agreement may be adjusted by agreement of the Board of County Commissioners and the owner/developer of the CSECS project. The amount of financial resources required to be available shall be based on a written estimate of decommissioning costs minus salvage value from a reputable construction company. Failure to submit the Final Decommissioning Plan as required by Chapter 11.19(H)(1) shall constitute grounds for review and possible revocation of the conditional use permit.

2. Conditional Use Permit Public Hearing. In addition to the requirements of Chapter 17.01(D), the applicant shall give notice by certified mail to all property owners within a half (1/2) mile of the boundary of the property upon which the CSECS project is proposed to be located. The notice shall include at a minimum the name of the proposed project, the name and contact information for a person

responsible for addressing questions related to the proposed project, a statement that the recipient(s) own property within a half (1/2) mile of the proposed project, a general geographic description of the project site, the time and place of the public hearing, and a statement that all materials submitted by the applicant are available for public inspection prior to the public hearing at the McCook County Planning & Zoning Office. Notices shall be postmarked not less than ten (10) days prior to the date of the public hearing. The applicant is responsible for meeting all requirements and shall provide documentation to the Planning & Zoning Administrator that these public notice requirements have been satisfied at least four (4) business days prior to the date of the public hearing. Failure to provide all required public notices shall result in the postponement or cancellation of the public hearing. Failure to the recipient of the certified letter to accept delivery does not invalidate service.

F. Building Permit Application/Review.

1. Application Contents. In addition to the requirements of Chapter 15.01, every building permit application for a CSECS shall include the following information:
 - a. A finalized agreement for connecting the property into the utility grid. The owner/operator of the CSECS project shall provide written notice in the event the executed interconnection agreement is cancelled, renegotiated, expired, etc.
 - b. Final information regarding the type, size, height, rated power output, performance, and safety of each model of CSECS that will be used for the project.
 - c. At least one (1) photograph or scaled drawing of each model of CSECS that will be used on the project. Each photograph, scaled drawing, or combination thereof for each model of CSECS provided shall be sufficiently detailed to show its maximum height, dimensions, and general design.
 - d. A finalized plan regarding the handling, processing, treatment, storage, and disposal of any wastes, fluids, or other pollutants that will be generated, emitted, or discharged during the lifetime of the project.
 - e. A finalized project schedule with anticipated construction date(s) and completion date(s). It shall only be necessary to update the completion schedule if substantial changes occur, or if the beginning or completion times of specific events or dates are delayed by a period of one (1) year or more.

- f. Final information regarding how the permittee(s) intends to protect livestock, protect and segregate topsoil from subsoil in cultivated lands, protect tile drainage, protect drainage ditches, control dust, and minimize the impacts of soil compaction.
 - g. The permittee(s) shall submit a Stormwater Pollution Prevention Plan (SWPPP) and a Soil Erosion and Sediment Control Plan detailing the erosion control measures for each CSECS project phase. It shall, at a minimum, identify plans for grading, construction, and drainage of roads; necessary soil information; detailed design features to maintain downstream water quality; a comprehensive revegetation plan to maintain and ensure adequate erosion control and slope stability and to restore the site after temporary project activities; and measures to minimize the area of surface disturbance. Other practices shall include containing excavated material, protecting exposed soil, stabilizing restored material, and removal of silt fences or barriers when the area is stabilized. The plan shall identify methods for disposal or storage of excavated material.
 - h. All CSECS projects shall be in compliance with any applicable federal, state, or local regulatory standards for solar energy systems.
 2. Unless otherwise specified herein, failure to provide material corrective or supplemental information regarding any of the items listed in Chapter 11.19(F)(1) above within thirty (30) days of making or becoming aware of any such change shall constitute grounds for review and possible modification or revocation of the conditional use permit.
- G. CSECS Requirements and Standards. Unless modified by the terms of the conditional use permit, all CSECS shall comply with the following standards:
 1. Appearance/Color/Finish. All CSECS shall be a non-reflective unobtrusive color.
 2. Power Lines and Connections. To the extent feasible, all on-site power and communication lines running between banks of solar panels and buildings, and all off-site lines running between the solar energy system to electric substations or interconnections shall be buried underground.
 3. Setback Requirements. All CSECS shall be located at least fifty (50) feet or one and one-half (1.5) times its height from all property lines and public road rights-of-way, whichever is greater.
 4. Maximum Height: Ground mounted systems shall not exceed fifteen (15) feet in height at maximum design tilt.

5. Illumination. A CSECS may not be artificially lighted unless such lighting is required by the Federal Aviation Administration (FAA).
6. Glare. Glare from CSECS to adjacent or nearby properties shall be minimized. Steps to minimize glare may include selective placement, selective orientation of the panels, installation of a non-reflective coating, appropriate screening, etc. A glare study shall be conducted prior to the issuance of the Building Permit. Permittees may use the Solar Glare Hazard Analysis Tool (SGHAT) or equivalent. The purpose of the glare study is to identify potential impacts and mitigation strategies. Once installed, if the CSECS creates glare onto neighboring properties and/or rights-of-way and the County determines that such glare may constitute a nuisance, it shall require a more detailed glare study, prepared by a third-party consultant mutually acceptable to the County and the permittee to identify additional actions and/or screening that may be required to substantially eliminate or block the glare from entering adjacent or nearby properties and/or public rights-of-way.
7. Noise. The noise level of the CSECS shall not exceed fifty-five (55) dBA, average A-weighted sound pressure level effects at existing occupied buildings. In the event a noise complaint is filed with the County, noise level measurements shall be made with a sound level meter using the A-weighting scale, in accordance with standards promulgated by the American National Standards Institute. An L90 measurement shall be used and have a measurement period no less than ten (10) minutes unless otherwise specified by the Board of Adjustment. Noise level testing shall not be repeated in a representative area during any five (5) year period unless operational or maintenance changes result in a reasonable assumption of higher noise levels. It shall be the responsibility of the owner/operator of the CSECS project to pay all costs associated with measuring sound levels as required herein.
8. Safety/Access. An appropriate security/livestock fence (height and material to be established through the Conditional Use Permit process) shall be placed around the perimeter of the CSECS project, if appropriate or deemed necessary. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
9. Environmental/Habitat Protection. All CSECS shall comply with the plan for the minimization or prevention of harmful impacts to wetlands, floodplains, floodways, and other environmentally sensitive areas approved as part of the Conditional Use Permit, if applicable. Additionally, it shall comply with any conditions placed on the Conditional Use Permit regarding the protection of species and habitats that could potentially be impacted by development on the site.

10. Signage. In addition to the signs permitted by Chapters 11.06 and 11.07, one (1) additional sign not exceeding twenty-five (25) square feet shall be allowed. Notwithstanding the aforementioned, the Board of Adjustment may require additional signs if they determine that such are necessary to protect the health, safety, and welfare of the public.

H. Decommissioning/Restoration/Abandonment.

1. Final Decommission Plan. Within one hundred-twenty (120) days of completion of construction, the permittees shall submit a Final Decommissioning Plan to the Planning & Zoning Administrator for approval by the Board of County Commissioners. Until it is approved, the Preliminary Decommissioning Plan and the terms of any subsequent agreements thereto, shall control. The Final Decommission Plan shall describe in detail the manner in which the permittees will decommission the project in accordance with the requirements of Chapter 11.19(H)(2) below. Failure to submit a Final Decommissioning Plan within the timeline stated above or failing to maintain adequate financial assurances as governed by Chapter 13.13(E)(1)(g) shall result in the Board of Adjustment reviewing the conditional use permit for possible modification or revocation.
2. Site Restoration. Upon expiration of the conditional use permit, or upon earlier termination of operation of the CSECS, the permittee(s) shall have the obligation to dismantle and remove from the site all electrical generating equipment, overhead and underground cables, foundations, buildings and ancillary equipment to a depth of four (4) feet. To the extent possible, the permittee(s) shall restore and reclaim the site to its pre-project topography, including restoration of topsoil, revegetation and seeding, and a two (2) year monitoring and remediation period. All access roads and concrete foundational pads shall be removed unless the landowner is granted a separate conditional use permit allowing him or her to keep and maintain them. The site shall be restored in accordance with the requirements of this Section within eighteen (18) months after expiration or termination of operations at the site.
3. Abandoned Equipment. The permittee(s) shall advise the Planning & Zoning Administrator of any electrical generating equipment, overhead or underground cables, foundations, buildings, and/or ancillary equipment that it no longer plans to operate within two (2) months of termination of its operations. After having done so, the Board of Adjustment will establish a timeline for the permittee(s) for its decommissioning if not specified in either the Preliminary or Final Decommissioning Plan, whichever is applicable.

4. Termination of Operations Defined. The use of any electrical generating equipment, overhead or underground cables, foundations, buildings, ancillary equipment, or the project itself is presumed to have terminated if it is not actively used or generates no electricity for a continuous period of twelve (12) months. The presumption may be rebutted by submitting to the Planning & Zoning Administrator a plan outlining the steps and schedule for returning it to service within twelve (12) months of the submission.
5. Cost Responsibility. The owner or operator of the CSECS project is responsible for decommissioning that facility and for all costs associated with decommissioning that facility and associated facilities.
6. Financial Assurance. As part of the conditional use permit, the Board of Adjustment shall include conditions that ensure that financial resources will be available for decommissioning. The exact terms of the required financial resources shall be governed by Chapter 13.13(E)(1)(g).
7. Failure to Decommission. If the owner or operator of the CSECS project does not complete decommissioning, the Board of County Commissioners may take any such action as may be necessary to complete decommissioning, including requiring forfeiture of the financial assurances outlined in Chapter 13.13(E)(1)(g).

Adopted this 22nd day of September, 2020.



Chairman, McCook County Board of
Commissioners

ATTEST:



Auditor



First Reading: September 8, 2020

Second Reading & Adoption: September 22, 2020

Publication Date: October 2, 2020

Effective Date: October 22, 2020 (20 days after publication)

Public Notice

NOTICE OF PUBLIC HEARING

Pursuant to SDCL 11-2-29, notice is hereby given that the McCook County Planning Commission will hold a public hearing on August 25, 2020 regarding amendment of the 2014 Revised Zoning Regulations for McCook County. Specifically, the Planning Commission will be considering adoption of an amendment establishing regulations for Solar Energy Conversion Systems.

A copy of the proposed amendment to the 2014 Revised Zoning Regulations for McCook County is available for public review at the McCook County Courthouse in the office of the Planning and Zoning Administrator during regular business hours.

The Planning Commission public hearing will be held at the following time, date, and location:

10:50 a.m.
Tuesday, August 25, 2020
McCook County Courthouse
(130 West Essex Ave)

The purpose of this hearing is to explain the proposed amendment to interested persons, to answer questions, and to hear and consider public comments. The Planning Commission invites all interested persons to attend and offer their comments. Those interested persons not able to attend are invited and encouraged to send written comments, prior to the hearing, to the McCook County Planning and Zoning Administrator, PO Box 38, Salem, SD 57058.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, please contact the Planning and Zoning Administrator at (605) 425-3281. Anyone who is deaf, hard-of-hearing or speech-disabled may utilize Relay South Dakota at (800) 877-1113 (TTY/Voice). Notification 48 hours prior to the hearing will enable the County to make reasonable arrangements to ensure accessibility to this hearing.

Cori Kaufmann
Interim Planning and Zoning
Administrator

Published once at the total approximate cost of \$24.70.

8-13

Printer's Affidavit of Publication

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

)SS

COUNTY OF McCOOK)

TROY SCHWANS of said County and State, being first duly sworn on his oath, says THE BRIDGEWATER TRIBUNE is a weekly newspaper of general circulation, printed and published in Bridgewater, McCook County and State of South Dakota, and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of McCook for more than fifty-two successive weeks prior to the publication of the notice hereinafter mentioned and has been printed during said period and at the present time, in whole in an office maintained at said place of publication; and that I, the undersigned, am publisher or employee of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts in this affidavit;

that the advertisement headed

Solar Energy Farm Hearing

a printed copy of which is hereto attached, was printed and published in the newspaper for weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication being made on *8/13, 2020*

the second publication on, 20

the third publication on, 20

the fourth publication on, 20

the fifth publication on, 20

the sixth publication on, 20

and the last publication on, 20

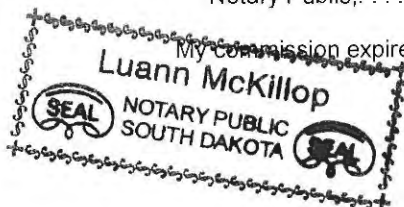
that \$ *24.70* being the full amount of the fees for publication of the annexed notice, insures solely to the benefit of the publisher of the said newspaper; that no agreement or understanding for a division thereof has been made with any person; and that no part thereof has been agreed to be paid to any person whomsoever.

Troy Schwans
Subscribed and sworn to before me this *2nd*

day of *September*, *2020*

Luann McKillop
Notary Public, *McCook* County

My commission expires *2-16-24*



Affidavit of Publication

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF McCOOK:)

The undersigned, being first duly sworn, on his oath says: THE CANISTOTA CLIPPER is a weekly newspaper of general circulation, printed and published in the City of Canistota, McCook County, South Dakota, by MATT ANDERSON and has been such a newspaper during the times hereinafter mentioned: that it has a bona fide circulation of more than 200 copies weekly; that it has been published within said county of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of a publication: that I, the undersigned, am either the publisher@ or an employee of the said publisher@ of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Notice of Public Hearing
10:50 am

a printed copy of which is hereto attached, was printed and published in the said newspaper for one (1) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication be made on 8/13

The second publication on _____

The third publication on _____

The fourth publication on _____

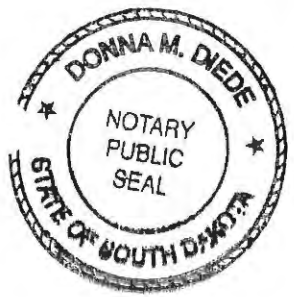
that 25.65 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person who-sever, and that said newspaper is a local newspaper under the law of the state of South Dakota.

Matt Anderson
Subscribed and sworn to before me this 13

day of August 2020

Donna M Diede
Notary Public, South Dakota

NOTICE OF PUBLIC HEARING
Pursuant to SDCL 11-2-29, notice is hereby given that the McCook County Planning Commission will hold a public hearing on August 25, 2020 regarding amendment of the 2014 Revised Zoning Regulations for McCook County. Specifically, the Planning Commission will be considering adoption of an amendment establishing regulations for Solar Energy Conversion Systems.
A copy of the proposed amendment to the 2014 Revised Zoning Regulations for McCook County is available for public review at the McCook County Courthouse in the office of the Planning and Zoning Administrator during regular business hours.
The Planning Commission public hearing will be held at the following time, date, and location:
10:50 a.m.
Tuesday, August 25, 2020
McCook County Courthouse
(130 West Essex Ave)
The purpose of this hearing is to explain the proposed amendment to interested persons, to answer questions, and to hear and consider public comments. The Planning Commission invites all interested persons to attend and offer their comments. Those interested persons not able to attend are invited and encouraged to send written comments, prior to the hearing, to the McCook County Planning and Zoning Administrator, PO Box 38, Salem, SD 57058.
In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, please contact the Planning and Zoning Administrator at (605) 425-3281. Anyone who is deaf, hard-of-hearing or speech-disabled may utilize Relay South Dakota at (800) 877-1113 (TTY/Voice). Notification 48 hours prior to the hearing will enable the County to make reasonable arrangements to ensure accessibility to this hearing.
Cori Kaufmann
Interim Planning and Zoning Administrator
Published once at the approximate cost of 25.65.
C0814-4



My commission expires 2/10/2022

Public Notice

NOTICE OF PUBLIC HEARING

Pursuant to SDCL 11-2-29, notice is hereby given that the McCook County Commission will hold a public hearing on September 8, 2020, regarding amendment of the 2014 Revised Zoning Regulations for McCook County. Specifically, the County Commission will be considering adoption of an amendment establishing regulations for Solar Energy Conversion Systems.

A copy of the proposed amendment to the 2014 Revised Zoning Regulations for McCook County is available for public review at the McCook County Courthouse in the office of the Planning and Zoning Administrator during regular business hours.

The County Commission public hearing will be held at the following time, date, and location:

10:35 a.m.
Tuesday, September 8, 2020
McCook County Courthouse
(130 West Essex Ave)

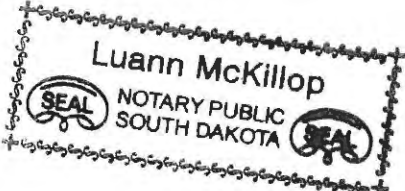
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Geralyn Sherman
McCook County Auditor

Published once at the total approximate cost of \$24.32.

8-27



Printer's Affidavit of Publication

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

)SS

COUNTY OF McCOOK)

TROY SCHWANS of said County and State, being first duly sworn on his oath, says THE BRIDGEWATER TRIBUNE is a weekly newspaper of general circulation, printed and published in Bridgewater, McCook County and State of South Dakota, and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of McCook for more than fifty-two successive weeks prior to the publication of the notice hereinafter mentioned and has been printed during said period and at the present time, in whole in an office maintained at said place of publication; and that I, the undersigned, am publisher or employee of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts in this affidavit;

that the advertisement headed.....
Notice of Public Hearing
Solar Energy Farm.....

a printed copy of which is hereto attached, was printed and published in the newspaper for . . . weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

- The first publication being made on *8/27* ,20*20* .
- the second publication on ,20 .
- the third publication on ,20 .
- the fourth publication on ,20 .
- the fifth publication on ,20 .
- the sixth publication on ,20 .
- and the last publication on ,20 .

that \$*24.32* being the full amount of the fees for publication of the annexed notice, insures solely to the benefit of the publisher of the said newspaper; that no agreement or understanding for a division thereof has been made with any person; and that no part thereof has been agreed to be paid to any person whomsoever.

.....
Subscribed and sworn to before me this... *2nd* ..
day of... *September* ...20*20* .

.....
Notary Public,..... *Luann McKillop*
McCook County

My commission expires. *2-16-24*

Affidavit of Publication

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF McCOOK:)

The undersigned, being first duly sworn, on his oath says: THE MONTROSE HERALD is a weekly newspaper of general circulation, printed and published in the City of Montrose, McCook County, South Dakota, by MATT ANDERSON and has been such a newspaper during the times hereinafter mentioned: that it has a bona fide circulation of more than 200 copies weekly; that it has been published within said county of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of a publication: that I, the undersigned, am either the publisher@ or an employee of the said publisher@ of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Notice of Public Hearing 10:35 am

a printed copy of which is hereto attached, was printed and published in the said newspaper for one (1) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication be made on 8/28/2020

The second publication on _____

The third publication on _____

The fourth publication on _____

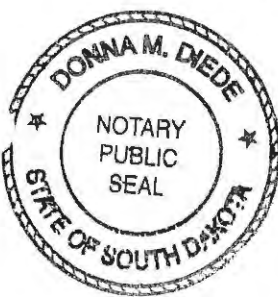
that 25.65 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person who-sever, and that said newspaper is a local newspaper under the law of the state of South Dakota.

Matt Anderson

Subscribed and sworn to before me this 31

day of August 2020

Donna M Diede
Notary Public, South Dakota



My commission expires 2/10/2022

NOTICE OF PUBLIC HEARING

Pursuant to SDCL 11-2-29, notice is hereby given that the McCook County Commission will hold a public hearing on September 8, 2020, regarding amendment of the 2014 Revised Zoning Regulations for McCook County. Specifically, the County Commission will be considering adoption of an amendment establishing regulations for Solar Energy Conversion Systems.

A copy of the proposed amendment to the 2014 Revised Zoning Regulations for McCook County is available for public review at the McCook County Courthouse in the office of the Planning and Zoning Administrator during regular business hours.

The County Commission public hearing will be held at the following time, date, and location:
10:35 a.m.

Tuesday, September 8, 2020
McCook County Courthouse
(130 West Essex Ave)

The purpose of this hearing is to explain the proposed amendment to interested persons, to answer questions, and to hear and consider public comments. The County Commission invites all interested persons to attend and offer their comments. Those interested persons not able to attend are invited and encouraged to send written comments, prior to the hearing, to the McCook County Planning and Zoning Administrator, PO Box 38, Salem, SD 57058.

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Geralyn Sherman
McCook County Auditor
Published once at the approximate cost of \$25.65.
C0828-2

Affidavit of Publication

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF McCOOK:)

The undersigned, being first duly sworn, on his oath says: THE CANISTOTA CLIPPER is a weekly newspaper of general circulation, printed and published in the City of Canistota, McCook County, South Dakota, by MATT ANDERSON and has been such a newspaper during the times hereinafter mentioned: that is has a bona fide circulation of more than 200 copies weekly; that is has been published within said county of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of a publication: that I, the undersigned, am either the publisher@ or an employee of the said publisher@ of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Notice of Public Hearing 10:35 am

a printed copy of which is hereto attached, was printed and published in the said newspaper for one (1) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication be made on 8/27/2020

The second publication on _____

The third publication on _____

The fourth publication on _____

that 25.45 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person who-sever, and that said newspaper is a local newspaper under the law of the state of South Dakota.

Matt Anderson

Subscribed and sworn to before me this 28

day of August 2020

Donna M Dieede

Notary Public, South Dakota

NOTICE OF PUBLIC HEARING

Pursuant to SDCL 11-2-29, notice is hereby given that the McCook County Commission will hold a public hearing on September 8, 2020, regarding amendment of the 2014 Revised Zoning Regulations for McCook County. Specifically, the County Commission will be considering adoption of an amendment establishing regulations for Solar Energy Conversion Systems.

A copy of the proposed amendment to the 2014 Revised Zoning Regulations for McCook County is available for public review at the McCook County Courthouse in the office of the Planning and Zoning Administrator during regular business hours.

The County Commission public hearing will be held at the following time, date, and location:

10:35 a.m.

Tuesday, September 8, 2020

McCook County Courthouse
(130 West Essex Ave)

The purpose of this hearing is to explain the proposed amendment to interested persons, to answer questions, and to hear and consider public comments. The County Commission invites all interested persons to attend and offer their comments. Those interested persons not able to attend are invited and encouraged to send written comments, prior to the hearing, to the McCook County Planning and Zoning Administrator, PO Box 38, Salem, SD 57058.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, please contact the Planning and Zoning Administrator at (605) 425-3281. Anyone who is deaf, hard-of-hearing or speech-disabled may utilize Relay South Dakota at (800) 877-1113 (TTY/Voice). Notification 48 hours prior to the hearing will enable the County to make reasonable arrangements to ensure accessibility to this hearing.

Geralyn Sherman
McCook County Auditor

Published once at the approximate cost of \$25.65.

C0828-2



My commission expires 2/10/2022

Public Notice

FACT OF ADOPTION

An ordinance amending the 2014 Revised Zoning Regulations for McCook County.

The McCook County Board of Commissioners adopted Ordinance No. 2020-05 on September 22, 2020. This ordinance amends Ordinance 2014-01, the 2014 Revised Zoning Regulations for McCook County by establishing rules and regulations for solar energy conversion systems. These rules and regulations have been included as Chapter 11.19, Additional Use Regulations, Commercial Solar Energy Conversion Systems.

The entire ordinance is on file in the office of the County Auditor and is available for inspection during regular business hours.

Geralyn Sherman
McCook County Auditor

Published once at the total approximate cost of \$11.78.

10-1

Printer's Affidavit of Publication

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA))SS
COUNTY OF McCOOK)

TROY SCHWANS of said County and State, being first duly sworn on his oath, says THE BRIDGEWATER TRIBUNE is a weekly newspaper of general circulation, printed and published in Bridgewater, McCook County and State of South Dakota, and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of McCook for more than fifty-two successive weeks prior to the publication of the notice hereinafter mentioned and has been printed during said period and at the present time, in whole in an office maintained at said place of publication; and that I, the undersigned, am publisher or employee of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts in this affidavit;

that the advertisement headed.....

Fact of Adoption.....

Ordinance No. 2020-05.....

a printed copy of which is hereto attached, was printed and published in the newspaper for *1* weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication being made on

..... *10/1* ,20 *20*

the second publication on.....,20

the third publication on.....,20

the fourth publication on.....,20

the fifth publication on.....,20

the sixth publication on.....,20

and the last publication on.....,20

that \$ *11.78* being the full amount of the fees for publication of the annexed notice, insures solely to the benefit of the publisher of the said newspaper; that no agreement or understanding for a division thereof has been made with any person; and that no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this *3rd*.....

day of *November*.....,20 *20*

Laurie A. Schwans.....

Notary Public,..... *McCook*..... County

My commission expires *NA*,..... *Reg. of Deeds*.....



Affidavit of Publication

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF McCOOK:)

The undersigned, being first duly sworn, on his oath says: THE MONTROSE HERALD is a weekly newspaper of general circulation, printed and published in the City of Montrose, McCook County, South Dakota, by MATT ANDERSON; and has been such a newspaper during the times hereinafter mentioned: that it has a bona fide circulation of more than 200 copies weekly; that it has been published within said county of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of a publication: that I, the undersigned, am either the publisher@ or an employee of the said publisher@ of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Fact of Adoption 2020-5

a printed copy of which is hereto attached, was printed and published in the said newspaper for one (1) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication be made on 10/2/2020

The second publication on _____

The third publication on _____

The fourth publication on _____

that 10.76 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person who-sever, and that said newspaper is a local newspaper under the law of the state of South Dakota.

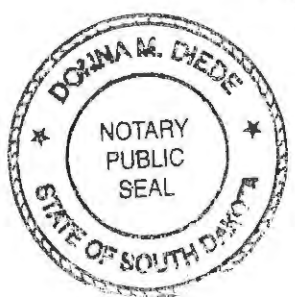
Matt Anderson

Subscribed and sworn to before me this 9

day of October 2020

Donna M. Dieder
Notary Public, South Dakota

FACT OF ADOPTION
An ordinance amending the 2014 Revised Zoning Regulations for McCook County.
The McCook County Board of Commissioners adopted Ordinance No. 2020-05 on September 22, 2020. This ordinance amends Ordinance 2014-01, the 2014 Revised Zoning Regulations for McCook County by establishing rules and regulations for solar energy conversion systems. These rules and regulations have been included as Chapter 11.19, Additional Use Regulations, Commercial Solar Energy Conversion Systems.
The entire ordinance is on file in the office of the County Auditor and is available for inspection during regular business hours.
Geraldyn Sherman
McCook County Auditor
Published once at the total approximate cost of \$10.76.
C1002-4



My commission expires 2/10/2022

Affidavit of Publication

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF McCOOK:)

The undersigned, being first duly sworn, on his oath says: THE CANISTOTA CLIPPER is a weekly newspaper of general circulation, printed and published in the City of Canistota, McCook County, South Dakota, by MATT ANDERSON and has been such a newspaper during the times hereinafter mentioned: that it has a bona fide circulation of more than 200 copies weekly; that it has been published within said county of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of a publication: that I, the undersigned, am either the publisher@ or an employee of the said publisher@ of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Fact of Adoption 2020-05

a printed copy of which is hereto attached, was printed and published in the said newspaper for one (1) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication be made on 10/1/2020

The second publication on _____

The third publication on _____

The fourth publication on _____

that 10.76 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person who-sever, and that said newspaper is a local newspaper under the law of the state of South Dakota.

Matt Anderson

Subscribed and sworn to before me this 1

day of October, 2020

Donna M Diede
Notary Public, South Dakota

FACT OF ADOPTION

An ordinance amending the 2014 Revised Zoning Regulations for McCook County.

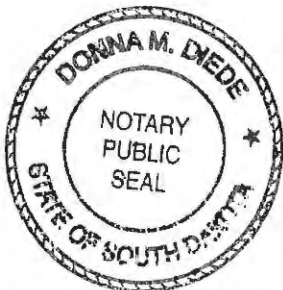
The McCook County Board of Commissioners adopted Ordinance No. 2020-05 on September 22, 2020. This ordinance amends Ordinance 2014-01, the 2014 Revised Zoning Regulations for McCook County by establishing rules and regulations for solar energy conversion systems. These rules and regulations have been included as Chapter 11.19, Additional Use Regulations, Commercial Solar Energy Conversion Systems.

The entire ordinance is on file in the office of the County Auditor and is available for inspection during regular business hours.

Gerilyn Sherman
McCook County Auditor

Published once at the total approximate cost of \$10.76.

C1002-4



My commission expires 2/10/2022