

MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
August 28, 2023 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Charlie Johnson, Karen McGregor, Mikal Lewis, Kevin Kuehn, Jim Coleman, Kevin Burton, and Ron Rossknecht.

STAFF PRESENT: Brittney Molitor, Megan Talmage, Kelsey Rausch, Jason Theunissen, Cody Sack, Jeri Ervin, Kim Baxter, and Alexa Moeller (SAO).

ROLL CALL

1. APPROVAL OF THE AUGUST 14, 2023, MINUTES
Moved by McGregor and seconded by Kuehn to approve the Minutes of the August 14, 2023, Planning Commission meeting. Vote: unanimous 7 to 0.

2. APPROVAL OF THE AGENDA
Moved by Burton and seconded by Lewis to approve the Agenda of the August 28, 2023, Planning Commission meeting. Vote: unanimous 7 to 0.

Moved by Burton and seconded by McGregor to approve the Consent Agenda of the August 28, 2023, Planning Commission meeting, with the removal of Items #5, #11, #12, #15, and #16. Vote: unanimous 7 to 0.

CONSENT AGENDA

The following items have been placed on the Consent Agenda for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Agenda, by any Planning Commissioner, staff member, or audience member for separate consideration. The findings of this Planning Commission, on certain items from this agenda, are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONDITIONAL USE PERMIT AMENDMENT REVIEW / CU 15-01:** Sheri Tonner. To review an existing single-wide mobile home to be used as a permanent single-family residence on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

E1/2SW1/4NE1/4; E1/2W1/2SW1/4NE1/4; W1/2W1/2SE1/4 NE1/4; S1/2SE1/4NW1/4 NE1/4; SE1/4SW1/4NW1/4NE1/4; SW1/4SW1/4NE1/4 NE1/4, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

To end Conditional Use Permit Amendment / CU 15-01 with the property owner's concurrence.

Vote: unanimous 7 to 0.

4. **CONDITIONAL USE PERMIT REVIEW / CU 15-15**: Gerald Meredith. To review a caretaker's residence on the subject property in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot B of Lot 3 of SE1/4NE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

To approve the review of Conditional Use Permit / CU 15-15 with the following five (5) conditions:

1. **That the addresses for the single-family residence and the Caregiver's Residence continue to be posted so they are visible from School Drive, in accordance with Ordinance #20;**
2. **That the applicant signs an affidavit verifying that care is still needed for Dawn Clarkson within 30 days of approval of the review of CUR 15-15 and that the caregiver's residence is removed from the property once care is no longer needed;**
3. **That a Building Permit be obtained for any structure exceeding 144 square feet or located on a permanent foundation which requires a site plan to be reviewed and approved by the Planning Director;**
4. **That all future structures meet the minimum required setbacks for a Suburban Residential District or an approved Setback Variance be obtained prior to Building Permit approval; and,**
5. **That this Conditional Use Permit be reviewed in five (5) years, on a complaint basis, or as deemed necessary by the Planning Commission or County Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 7 to 0.

6. **CONDITIONAL USE PERMIT REVIEW / CU 18-02**: Glenda Robertson. To review a Vacation Home Rental on the subject property in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 3, Melchert Ranch Subdivision, Section 15, T2N, R3E, BHM, Pennington County, South Dakota.

To approve the review of Conditional Use Permit / CU 18-02 with the following eighteen (18) conditions:

1. **That the maximum overnight occupancy, based on SD DANR approval, be limited to four (4) people and the maximum daytime occupancy be limited to four (4) per SD DANR comments;**
2. **That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the On-Site Wastewater Treatment System (OSWTS);**

3. That if any addition is constructed on the residence and/or the OSWTS is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DANR;
4. That the applicant continually maintains a current license with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;
5. That the applicant continually maintains an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
6. That a minimum of two (2) off-street parking spaces continue to be provided on-site, per PCZO §310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
7. That an interior informational sign continues to be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 listed as contact for Fire Department and Sheriff's Department, during operation of the Vacation Home Rental. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;
8. That the lot address (11514 Melchert Place) be posted on the residence at all times and at the driveway where it intersects Melchert Place, in accordance with Pennington County's Ordinance #20;
9. That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO §319(F) (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed, from Glenda Robertson, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices, provided by the Planning Department, sent by First Class Mail;
11. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
12. That an approved Sign Permit be obtained prior to the placement of any on premise sign(s);
13. That an approved Floodplain Development Permit be obtained prior to any disturbance within the boundaries of either the Floodway or Special Flood Hazard Area located on the subject property;

14. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
15. That the proper permits be obtained prior to utilizing a fire pit on the property and all fire restrictions be followed at all times;
16. That the applicant shall provide the phone number and/or internet address to clients regarding the current day's fire condition, as pertaining to the use of the fire pit;
17. That each review of Conditional Use Permit / CUR 18-02, be subject to PCZO § 511(P), which imposes a \$100 fee per review; and,
18. That this Conditional Use Permit be reviewed in three (3) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 7 to 0.

7. **CONDITIONAL USE PERMIT REVIEW / CU 18-32:** Katrena Roseland. To review a caregiver's residence on the subject property in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 7, Block 4, Eastern Acres Subdivision, Section 11, T1N, R8E, BHM, Pennington County, South Dakota.

To approve the review of Conditional Use Permit / CU 18-32 with the following seven (7) conditions

1. That the addresses for both residences continue to be posted, in accordance with Pennington County's Ordinance #20;
2. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
3. That the minimum setback requirements of a Suburban Residential District be continually maintained on the property;
4. That the subject property remains free of debris and junk vehicles;
5. That the applicant signs an affidavit verifying that care is still needed for Katrena and Vern Roseland within 30 days of the review of CUR 18-32;
6. That once care is no longer needed for Katrena and Vern Roseland, either the existing residence or the caregiver's residence be removed from the subject property or the subject property be subdivided so that each residence is on a separate lot; and,

7. That this Conditional Use Permit be reviewed in five (5) years, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 7 to 0.

8. **CONDITIONAL USE PERMIT REVIEW / CU 18-33:** Fatter Boys, Inc.; Bob Fuchs - Agent. To review three (3) internally illuminated signs within 1,500 feet of a residential zoning district/dwelling unit in a Highway Service District in accordance with the Pennington County Zoning Ordinance.

Lot 9, Spring Creek Palisades Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

To approve the review of Conditional Use Permit / CU 18-33 with the following five (5) conditions:

1. That all lighting continue to be installed and maintained so as to minimize spillage of light outside of each sign face so as not to create a nuisance and the signs continue to be effectively shielded to prevent beams or rays from being directed toward any portion of the roadways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle, or otherwise interfere with any driver's operation of a motor vehicle;
2. That an approved Floodplain Development Permit is obtained *prior* to any disturbance within the Special Flood Hazard Area located on the subject property;
3. That the signs continually conform to all regulations in § 312 of the Pennington County Zoning Ordinance;
4. That the signs continue to be maintained so as to have an aesthetically pleasing appearance at all times and not appear dilapidated; and,
5. That this Conditional Use Permit be on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 7 to 0.

9. **CONDITIONAL USE PERMIT REVIEW / CU 21-55:** David and Helene Weldon. To review living in an existing pole barn with living quarters, while building a residence on the subject property, in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

Less Right-of-Way, Star Lode Mining Claim MS 2148, Section 13, T2S, R6E, BHM, Pennington County, South Dakota.

To end Conditional Use Permit / CU 21-55 with the applicant's concurrence.

Vote: unanimous 7 to 0.

10. **CONDITIONAL USE PERMIT REVIEW / CU 21-64:** Jane Patnoe; Don Patnoe - Agent. To review a tiny home/park model as a primary structure on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

All of Climax Lode MS 942, Section 12, T1S, R4E, BHM, Pennington County, South Dakota.

To approve the review of Conditional Use Permit / CU 21-64 with the following three (3) conditions:

1. **That the address continues to be clearly posted on the structure and at the intersection of Log Cabin Road and the existing driveway, in accordance with Pennington County Ordinance #20;**
2. **That the minimum setback requirements of an Agriculture District be continually maintained on the property; and,**
3. **That this Conditional Use Permit be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.**

Vote: unanimous 7 to 0.

13. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 21-04:** Rockerville Gold Town, LLC, Pat Hall. To review an amendment to an existing Planned Unit Development to reduce the setback from 25 feet to 5 feet to allow a water treatment structure and pump facility on the subject property in accordance with the Pennington County Zoning Ordinance.

E1/2SE1/4SE1/4 South of Highway 16 Westbound Less ROW; Section 14, T1S, R6E, BHM, Pennington County, South Dakota.

To approve the review of Minor Planned Unit Development Amendment / PU 21-04 with the following four (4) conditions:

1. **That the Conditions of Approval of PU 19-05 be continually adhered to;**
2. **That the front yard setback be reduced from 25 feet to five (5) feet and only apply to the water treatment and pump building on the subject property;**
3. **That all other structures must maintain the setback requirements or obtain approval of a separate Planned Unit Development Amendment;**
4. **That an address be assigned and posted on the water treatment and pump building in accordance with Pennington County's Ordinance #20; and,**
5. **That this Minor Planned Unit Development be reviewed on a complaint basis, or as directed by the Planning Commission or Board of Commissioners to verify that the Conditions of Approval are being met.**

Vote: unanimous 7 to 0.

14. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 21-14:** Renee Voss. To review living in a Recreational Vehicle while building a single-family residence on the subject property in accordance with the Pennington County Zoning Ordinance.

Lot 14 (also in Section 3), Wheel Inn No. 4 Subdivision, Section 2, T1S, R5E, BHM, Pennington County, South Dakota.

To end Minor Planned Unit Development Amendment / PU 21-14 with the applicant's concurrence.

Vote: unanimous 7 to 0.

END OF CONSENT AGENDA

5. **CONDITIONAL USE PERMIT REVIEW / CU 17-25:** Donald Wojciechowski; Lisa Loerzel – Agent. To review one (1) pole barn and three (3) greenhouse structures on the NW1/4NE1/4SW1/4 in Section 31, T1N, R7E, BHM; and to review one (1) pole barn structure located on the E1/2 GL3, Section 31, T1N, R7E, BHM; and to allow the one (1) pole barn structure to remain on the E1/2 GL3, Section 31, T1N, R7E, BHM, when the principle structure is removed from the property in the future, in a Suburban Residential District, in accordance with the Pennington County Zoning Ordinance.

NW1/4NE1/4SW1/4, and E1/2 GL3, all located in Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

Staff requested this Item be removed from the Consent Agenda for discussion.

Staff had originally recommended approval of the review of Conditional Use Permit / CU 17-25 with conditions, but is now recommending the item be continued to the September 11, 2023, Planning Commission meeting.

Discussion followed.

Moved by McGregor and seconded by Coleman to continue the review of Conditional Use Permit / CU 17-25 to the September 11, 2023, Planning Commission meeting.

All voting aye, the Motion carried 7 to 0.

11. **PLANNED UNIT DEVELOPMENT OVERLAY REVIEW / PU 19-01:** Brink Constructors, Inc.; BCI Properties, LLC; Zane Brink – Agent. To review an apprenticeship training facility for linemen of Brink Construction in a Planned Unit Development Overlay in accordance with the Pennington County Zoning Ordinance.

SW1/4SE1/4 less ROW, Section 24, T2N, R9E, BHM, Pennington County, South Dakota.

Staff requested this Item be removed from the Consent Agenda for discussion.

Staff had originally recommended approval of the review of Planned Unit Development Overlay / PU 19-01 with conditions, but is now recommending the item be continued to the September 11, 2023, Planning Commission meeting.

Discussion followed.

Moved by Lewis and seconded by McGregor to continue the review of Planned Unit Development Overlay / PU 19-01 to the September 11, 2023, Planning Commission meeting.

All voting aye, the Motion carried 7 to 0.

12. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 19-06: Rockerville Gold Town, LLC, Pat Hall. To review an amendment to an existing Planned Unit Development to allow for townhomes, apartments, and commercial businesses in accordance with the Pennington County Zoning Ordinance.

W1/2SE1/4SE1/4 South of Hwy 16 Westboundless Lot A, Less Lot 1, and Less ROW; E1/2SE1/4SE1/4 South of Hwy 16 Westbound Less ROW; and That Part of the SW1/4SW1/4 lying S of Hwy 16 and W of CO RD; and Lots 6-15, Lot 17, Tract B-1 and Tract B-2; and Common Lot B of Rockerville Ghost Town Subdivision, Sections 13 and 14, T1S, R6E, BHM, Pennington County, South Dakota.

Commissioner Kuehn requested this Item be removed from the Consent Agenda for discussion.

Staff recommended to continue the review of Major Planned Unit Development Amendment / PU 19-06 to the September 25, 2023, Planning Commission meeting.

Discussion followed.

Moved by Kuehn and seconded by Lewis to continue the review of Major Planned Unit Development Amendment / PU 19-06 to the September 25, 2023, Planning Commission meeting.

All voting aye, the Motion carried 7 to 0.

15. MINING PERMIT REVIEW / MP 20-04: GCC Dacotah, Inc. To review a mining operation to extract limestone by drilling and blasting then to be hauled off site in a Heavy Industrial District in accordance with the Pennington County Zoning Ordinance.

SW1/4NE1/4 Less Limestone Tunnel Sub; NW1/4SE1/4; That PT of SE1/4NE1/4, NE1/4SE1/4 and SE1/4SE1/4 Lying W of Hwy 79 Less Limestone Tunnel Sub in the SE1/4NE1/4, Section 20, T2N, R7E, BHM, Pennington County, South Dakota.

Staff requested this Item be removed from the Consent Agenda for discussion.

Staff recommend approval of the review of Mining Permit / MP 20-04 with the following nine (9) conditions:

1. That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;
2. That the applicants follow the Pennington County Stormwater Manual and Stormwater Management Plan;
3. That the applicants follow the reclamation plan that was submitted to the Planning Department;
4. That if there is a proposed change in operation from this Mining Permit, that the change be submitted to the Planning Director within thirty (30) days and the Mining Permit reviewed and approved by the Planning Commission;
5. That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;
6. That the conditions of the approval of the South Dakota Department of Agriculture and Natural Resources General Permit be continually met;
7. That the applicant submits a copy of the Mine License, issued by the South Dakota Department of Agriculture and Natural Resources, to the Planning Department and copies of any annual Mine License Reports by December 1st of each year;
8. That the applicant signs a Statement of Understanding within ten (10) business days of Mining Permit approval, which is available at the Planning Office; and,
9. That this Mining Permit be reviewed in three (3) years from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.

Sack further stated that Staff will be recommending to remove Condition #8 and to change the review date in Condition #9 from three (3) years to five (5) years.

Discussion followed.

Moved by Johnson and seconded by Burton to approve the review of Mining Permit / MP 20-04 with the following eight (8) conditions:

- 1. That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;**
- 2. That the applicants follow the Pennington County Stormwater Manual and Stormwater Management Plan;**

3. **That the applicants follow the reclamation plan that was submitted to the Planning Department;**
4. **That if there is a proposed change in operation from this Mining Permit, that the change be submitted to the Planning Director within thirty (30) days and the Mining Permit reviewed and approved by the Planning Commission;**
5. **That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;**
6. **That the conditions of the approval of the South Dakota Department of Agriculture and Natural Resources General Permit be continually met;**
7. **That the applicant submits a copy of the Mine License, issued by the South Dakota Department of Agriculture and Natural Resources, to the Planning Department and copies of any annual Mine License Reports by December 1st of each year;**
8. **That this Mining Permit be reviewed in five (5) years from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.**

All voting aye, the Motion carried 7 to 0.

16. MINING PERMIT REVIEW / MP 20-05: GCC Dacotah, Inc. To review a mining operation to extract, crush, and stockpile shale to be hauled off site in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

PT SE1/4SW1/4; PT S1/2SE1/4 of Section 11, T2N, R7E; PT SW1/4SW1/4 Less PT of Lot A of Lot 3 of Section 11, T2N, R7E; N1/2NE1/4; NE1/4NW1/4 of Section 14, T2N, R7E; NW1/4NW1/4 W of RD of Section 13, T2N, R7E, BHM, Pennington County, South Dakota.

Commissioner Lewis requested this Item be removed from the Consent Agenda for discussion.

Staff recommended approval of the review of Mining Permit / MP 20-05 with the following eight (8) conditions:

1. That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;
2. That the applicants follow the Pennington County Stormwater Manual and Stormwater Management Plan;
3. That the applicants follow the reclamation plan that was submitted to the Planning Department;

4. That if there is a proposed change in operation from this Mining Permit, that the change be submitted to the Planning Director within thirty (30) days and the Mining Permit reviewed and approved by the Planning Commission;
5. That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;
6. That the conditions of the approval of the South Dakota Department of Agriculture and Natural Resources General Stormwater Permit for Industrial Activities be continually met;
7. That the applicant submits a copy of the Mine License, issued by the South Dakota Department of Agriculture and Natural Resources, to the Planning Department and copies of any annual Mine License Reports by December 1st of each year; and,
8. That this Mining Permit be reviewed in five (5) years from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

Moved by Lewis and seconded by McGregor to approve the review of Mining Permit / MP 20-05 with the following eight (8) conditions:

- 1. That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;**
- 2. That the applicants follow the Pennington County Stormwater Manual and Stormwater Management Plan;**
- 3. That the applicants follow the reclamation plan that was submitted to the Planning Department;**
- 4. That if there is a proposed change in operation from this Mining Permit, that the change be submitted to the Planning Director within thirty (30) days and the Mining Permit reviewed and approved by the Planning Commission;**
- 5. That the conditions of approval of the South Dakota Department of Agriculture and Natural Resources Mine License be continually met;**
- 6. That the conditions of the approval of the South Dakota Department of Agriculture and Natural Resources General Stormwater Permit for Industrial Activities be continually met;**
- 7. That the applicant submits a copy of the Mine License, issued by the South Dakota Department of Agriculture and Natural Resources, to the Planning Department and copies of any annual Mine License Reports by December 1st of each year; and,**

8. That this Mining Permit be reviewed in five (5) years from approval date, and may be reviewed on a complaint basis, or as directed by the Planning Commission and/or the Board of Commissioners to verify that all Conditions of Approval are being met.

All voting aye, the Motion carried 7 to 0.

17. ORDINANCE AMENDMENT / OA 23-01: Pennington County. To amend Section 319 Vacation Home Rental [to amend and supersede the existing Section 319 Vacation Home Rental] of the Pennington County Zoning Ordinance.

(Continued from the August 14, 2023, Planning Commission meeting.)

Molitor stated this is an Ordinance Amendment to amend Section 319 Vacation Home Rental of the Zoning Ordinance.

Discussion followed.

Moved Rossknecht and seconded by McGregor to add Section 310 parking requirement language to E-4-a Parking to state: “a. *Minimum parking requirement.* One parking spot is required per bedroom and each parking space shall not be less than 162 square feet, or nine (9) by eighteen (18) feet, and each space shall be clearly designated as one parking stall.”

All voting aye, the Motion carried 7 to 0.

Moved by Johnson and seconded by McGregor to amend E-9-a Evacuation Plan to state: “a. *Special Flood Hazard Area.* For those properties located within a Special Flood Hazard Area, an additional exterior evacuation plan is required to be posted in a prominent location” and to also amend E-12 Department of Revenue to state: “*Department of Revenue (DOR).* All owners or their designees must have a current DOH Lodging License for the VHR.”

All voting aye, the Motion carried 7 to 0.

Moved by Burton and seconded by Kuehn to amend E-10 Severe Weather Safety Plan to state: “In the event of a severe weather condition (i.e.: thunderstorms, wind, hail, lightning, tornadoes, or winter storm events) a plan must be provided to guests. This plan shall include location(s) of a disaster supply kit, shelter area, and information for the Pennington County Emergency Management website.”

All voting aye, the Motion carried 7 to 0.

Moved by McGregor and seconded by Coleman to amend J-1-a-i Complaints to state: “Complaints. The Planning Department receives a substantiated complaint that the property is in violation of any Zoning Ordinance or designated criteria and responds in a reasonable time under the totality of the circumstances.””

All voting aye, the Motion carried 7 to 0.

Moved by Lewis and seconded by Rossknecht to amend E-15-a Miscellaneous Requirements to state: “a. All Operators of a VHR are required to keep records of guests, in accordance with SDCL Chapter 34-18-9.4.”

All voting aye, the Motion carried 7 to 0.

Commissioner Burton left the meeting at 10:05 a.m.
Commissioner Burton returned to the meeting at 10:08 a.m.

Moved by Johnson and seconded by Coleman to amend language in H.–Registration to change Section 511 to K. – Fees and to add language in K.–Fees–3. a. License Fee: \$1,000 every two years.

All voting aye, the Motion carried 7 to 0.

Moved by McGregor and seconded by Lewis to approve of Ordinance Amendment / OA 23-01 with amended language changes.

All voting aye, the Motion carried 7 to 0.

18. CONDITIONAL USE PERMIT / CU 23-28: Golden West Telecommunications; Casey Weaver - Agent. To allow a telecommunication building on the subject property in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 4 Except 18 ft. square in SW Corner for Highway, Block 3, Caputa Subdivision, Section 1, T1S, R9E, BHM, Pennington County, South Dakota.

Rausch reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a telecommunication building on the subject property.

Commissioner Rossknecht left the meeting at 10:21 a.m.
Commissioner Rossknecht returned to the meeting at 10:33 a.m.

Staff recommended approval of Conditional Use Permit / CU 23-28 with the following ten (10) conditions:

1. That prior to operation, all necessary permits are obtained prior to the installation of the On-Site Wastewater Treatment System (OSWTS), which will require approval from SD DANR;
2. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;
3. That prior to submittal of a Building Permit, the applicant obtains an approved Approach Permit through the Pennington County Highway Department;

4. That the access road be improved to Ordinance 14 Standards, per the Pennington County Highway Department.
 - i The applicant may request an exception to Ordinance 14 through the County Highway Department;
5. That the minimum setback requirements of a Suburban Residential District be maintained on the property;
6. That two (2) off-street parking spaces be continually provided. Each space shall measure at least nine (9) feet by eighteen (18) feet and shall be kept in a dust free manner;
7. That the address (23505 1st Avenue) be posted on the structure so it is visible from both directions of travel on 1st Avenue in accordance with Pennington County Ordinance #20;
8. That an approved Sign Permit be obtained prior to the placement of any sign(s);
9. That the property remains free of junk and debris at all times; and,
10. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

Discussion followed.

Moved by McGregor and seconded by Burton to approve of Conditional Use Permit / CU 23-28 with the following ten (10) conditions:

- 1. That prior to operation, all necessary permits are obtained prior to the installation of the On-Site Wastewater Treatment System (OSWTS), which will require approval from SD DANR;**
- 2. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;**
- 3. That prior to submittal of a Building Permit, the applicant obtains an approved Approach Permit through the Pennington County Highway Department;**
- 4. That the access road be improved to Ordinance 14 Standards, per the Pennington County Highway Department.

 - i The applicant may request an exception to Ordinance 14 through the County Highway Department;****
- 5. That the minimum setback requirements of a Suburban Residential District be maintained on the property;**

6. **That two (2) off-street parking spaces be continually provided. Each space shall measure at least nine (9) feet by eighteen (18) feet and shall be kept in a dust free manner;**
7. **That the address (23505 1st Avenue) be posted on the structure so it is visible from both directions of travel on 1st Avenue in accordance with Pennington County Ordinance #20;**
8. **That an approved Sign Permit be obtained prior to the placement of any sign(s);**
9. **That the property remains free of junk and debris at all times; and,**
10. **That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.**

All voting aye, the Motion carried 7 to 0.

19. CONDITIONAL USE PERMIT / CU 23-29: Joy Johnson and Errol Flynn. To allow a Home Occupation on the subject property to make and sell ceramics in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 14, Back Country Subdivision, Section 29, T1N, R9E, BHM, Pennington County, South Dakota

Rausch reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit allow a Home Occupation on the subject property to make and sell ceramics.

Staff recommended approval of Conditional Use Permit / CU 23-29 with the following twenty (20) conditions:

1. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;
2. That the home occupation shall be operated completely within the existing accessory structure located on the property;
3. That all associated storage materials be kept entirely within the existing accessory structure;
4. That the applicant ensure the residential character of the property is maintained;
5. That a Sign Permit be obtained for any on-premise sign located on the property;
6. That the applicant complies with all applicable local, state, and federal laws;

7. That the applicant obtain all necessary permits from other governing bodies for operation of the home occupation including, but not limited to, a Sales Tax License from the South Dakota Department of Revenue;
8. That an address be assigned to the structure being used for the business and the addresses be properly posted on both the structure and at the approach so they are visible from both directions of travel on Back Country Trail in accordance with Pennington County Ordinance #20;
9. That reasonable measures are taken to control odors, fumes, dust, noise, vibration and lighting resulting from the home occupation so as to not constitute a nuisance to the general public;
10. That the home occupation shall be operated by a member of the family residing on the premises;
11. That the kiln be installed to the manufacturer's recommendations;
12. That a portable fire extinguisher with a minimum 2 A-BC rating shall be available at all times and the fire extinguisher shall be inspected and tagged annually;
13. That a smoke detector be placed in the accessory structure;
14. That the applicant maintain an Emergency Plan and post the plan in the accessory structure and that a copy of said plan be kept on file at the Planning Department;
15. That the applicant installs an outlet cover that is missing from an outlet near the kiln per comments by the Fire Department;
16. That the applicant double-check manufacturer instructions for distance to combustible materials and make any necessary changes per comments by the Fire Department;
17. That the applicant work with the City of Rapid City to obtain an approved On-Site Wastewater Treatment System Operating Permit;
18. That this Conditional Use Permit shall be scheduled for a Revocation Hearing upon sale or transfer of the subject property;
19. That the home occupation be limited to making and selling ceramics and any expansion beyond this would require the Conditional Use Permit to be reviewed and amended; and,
20. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.

Discussion followed.

Moved by Kuehn and seconded by McGregor approve of Conditional Use Permit / CU 23-29 with the following twenty (20) conditions:

- 1. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored, which requires a site plan to be reviewed and approved by the Planning Director;**
- 2. That the home occupation shall be operated completely within the existing accessory structure located on the property;**
- 3. That all associated storage materials be kept entirely within the existing accessory structure;**
- 4. That the applicant ensure the residential character of the property is maintained;**
- 5. That a Sign Permit be obtained for any on-premise sign located on the property;**
- 6. That the applicant complies with all applicable local, state, and federal laws;**
- 7. That the applicant obtain all necessary permits from other governing bodies for operation of the home occupation including, but not limited to, a Sales Tax License from the South Dakota Department of Revenue;**
- 8. That an address be assigned to the structure being used for the business and the addresses be properly posted on both the structure and at the approach so they are visible from both directions of travel on Back Country Trail in accordance with Pennington County Ordinance #20;**
- 9. That reasonable measures are taken to control odors, fumes, dust, noise, vibration and lighting resulting from the home occupation so as to not constitute a nuisance to the general public;**
- 10. That the home occupation shall be operated by a member of the family residing on the premises;**
- 11. That the kiln be installed to the manufacturer's recommendations;**
- 12. That a portable fire extinguisher with a minimum 2 A-BC rating shall be available at all times and the fire extinguisher shall be inspected and tagged annually;**
- 13. That a smoke detector be placed in the accessory structure;**
- 14. That the applicant maintain an Emergency Plan and post the plan in the accessory structure and that a copy of said plan be kept on file at the Planning Department;**

15. **That the applicant installs an outlet cover that is missing from an outlet near the kiln per comments by the Fire Department;**
16. **That the applicant double-check manufacturer instructions for distance to combustible materials and make any necessary changes per comments by the Fire Department;**
17. **That the applicant work with the City of Rapid City to obtain an approved On-Site Wastewater Treatment System Operating Permit;**
18. **That this Conditional Use Permit shall be scheduled for a Revocation Hearing upon sale or transfer of the subject property;**
19. **That the home occupation be limited to making and selling ceramics and any expansion beyond this would require the Conditional Use Permit to be reviewed and amended; and,**
20. **That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Planning Commission or Board of Commissioners to verify that all conditions of approval are being met.**

All voting aye, the Motion carried 7 to 0.

20. CONDITIONAL USE PERMIT AMENDMENT / CU 14-23: Keystone Adventures, Inc.; Andrew Busse – Agent. To amend an existing Conditional Use Permit to amend the operation of the commercial helicopter tour business from seasonal to year-round in a Highway Service District in accordance with the Pennington County Zoning Ordinance.

The Unplatted Balance of Government Lot 16 less Right-of-Way; and the Unplatted Balance of Government Lot 21 less Right-of-Way, Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied to amend an existing Conditional Use Permit to amend the operation of the commercial helicopter tour business from seasonal to year-round.

Staff recommended approval of Conditional Use Permit Amendment / CU 14-23 with the following sixteen (16) conditions:

1. That this Conditional Use Permit allows for a golf driving range and two (2) helipads on the subject property with chartered helicopter tours to be operated from the site;
2. That no commercial helicopter tour will depart before 9:00 a.m. or after 7:00 p.m. during peak season (Memorial Day to Labor Day);
3. That no commercial helicopter tour will depart before 9:00 a.m. or after 6:00 p.m. during non-peak season (January 1st to Memorial Day and Labor Day to December 31st);

4. That the term “commercial helicopter tours” be defined as those given to ticketed customers for the purpose of recreation and enjoyment;
5. That the number of helicopters flying for the purposes of commercial helicopter tours be limited to two (2) at any given time during hours of operation;
6. That the helipad be allowed to be utilized on a limited basis for public service type commercial helicopter tour operations, including, but not limited to, Life Flight, utility patrols, firefighting, National Guard, etc.;
7. That the lower helipad (nearest to Highway 16A) be utilized as the primary point of takeoff and departure and the upper helipad only be utilized as a backup when warranted by environmental conditions;
8. That off-street parking be provided on-site in accordance with the requirements of Section 310 of the Pennington County Zoning Ordinance (PCZO) for commercial recreation uses;
9. That the applicant adheres to FAA regulations at all times and that all other applicable federal, state, and local requirements be continually met;
10. That fuel storage on the property be approved and meet the requirements of the South Dakota Department of Agriculture and Natural Resources (SD DANR) and the Environmental Protection Agency (EPA) at all times;
11. That access to the helipads be limited to employees and customers escorted by employees;
12. That the comments provided by the U.S. Forest Service be adhered to at all times;
13. That a Sign Permit be obtained prior to the installation of any additional signs on the property. All new signs must meet the requirements of Section 312 of the PCZO;
14. That the property address (24035 Highway 16A) be clearly visible at all times from both directions of travel along Highway 16A, in accordance with Pennington County Ordinance #20;
15. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met; and,
16. That prior to transfer of the property, the landowner notifies the Planning Director and Conditional Use Permit / CU 14-23 be reviewed.

Discussion followed.

Moved by Coleman and seconded by Rossknecht to approve of Conditional Use Permit Amendment / CU 14-23 with the following sixteen (16) conditions:

- 1. That this Conditional Use Permit allows for a golf driving range and two (2) helipads on the subject property with chartered helicopter tours to be operated from the site;**
- 2. That no commercial helicopter tour will depart before 9:00 a.m. or after 7:00 p.m. during peak season (Memorial Day to Labor Day);**
- 3. That no commercial helicopter tour will depart before 9:00 a.m. or after 6:00 p.m. during non-peak season (January 1st to Memorial Day and Labor Day to December 31st);**
- 4. That the term “commercial helicopter tours” be defined as those given to ticketed customers for the purpose of recreation and enjoyment;**
- 5. That the number of helicopters flying for the purposes of commercial helicopter tours be limited to two (2) at any given time during hours of operation;**
- 6. That the helipad be allowed to be utilized on a limited basis for public service type commercial helicopter tour operations, including, but not limited to, Life Flight, utility patrols, firefighting, National Guard, etc.;**
- 7. That the lower helipad (nearest to Highway 16A) be utilized as the primary point of takeoff and departure and the upper helipad only be utilized as a backup when warranted by environmental conditions;**
- 8. That off-street parking be provided on-site in accordance with the requirements of Section 310 of the Pennington County Zoning Ordinance (PCZO) for commercial recreation uses;**
- 9. That the applicant adheres to FAA regulations at all times and that all other applicable federal, state, and local requirements be continually met;**
- 10. That fuel storage on the property be approved and meet the requirements of the South Dakota Department of Agriculture and Natural Resources (SD DANR) and the Environmental Protection Agency (EPA) at all times;**
- 11. That access to the helipads be limited to employees and customers escorted by employees;**
- 12. That the comments provided by the U.S. Forest Service be adhered to at all times;**
- 13. That a Sign Permit be obtained prior to the installation of any additional signs on the property. All new signs must meet the requirements of Section 312 of the PCZO;**

14. **That the property address (24035 Highway 16A) be clearly visible at all times from both directions of travel along Highway 16A, in accordance with Pennington County Ordinance #20;**
15. **That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met; and,**
16. **That prior to transfer of the property, the landowner notifies the Planning Director and Conditional Use Permit / CU 14-23 be reviewed.**

All voting, the Motion carried 6 to 1. Commissioners Johnson, Coleman, McGregor, Burton, Rossknecht, and Kuehn voted yes. Commissioner Lewis voted no.

Moved by Lewis and seconded by Coleman to wave rules to discuss similar Agenda Items #21 and #22 at the same time. All voting aye, the Motion carried 7 to 0.

21. COMPREHENSIVE PLAN AMENDMENT / CA 23-06: Adam Weaver / Sharon Holte Weaver; Sarah Tschetter - Agent. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District in accordance with the Pennington County Zoning Ordinance.

Commencing at the Southeast Corner of Lot 4 of Strato Rim Estates located in Gov't Lot 4 and the SE1/4 of the SW1/4 of Section 7, Township 1 South, Range 7 East of the Black Hills Meridian, which is the POINT OF BEGINNING, POINT NO 1; Thence N 89°15'32" W - a distance of 580.00 feet to Point No. 2 which is the TRUE POINT OF BEGINNING, Thence N 30°14'44" E - a distance of 172.33 feet to Point No. 3; Thence S 89°15'32" E - a distance of 173.89 feet to Point No. 4; Thence S 00°44'28" W - a distance of 149.98 feet to Point No. 5; Thence N 89°15'32" W - a distance of 258.76 feet to the TRUE POINT OF BEGINNING, Point No. 2; Containing 0.740 Acres "more or less", located in Gov't Lot 4 and SE1/4 of SW1/4 of Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

Talmage reviewed the Staff Report indicating the applicant has applied for a Comprehensive Plan Amendment to amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District.

Staff recommended to deny Comprehensive Plan Amendment / CA 23-06 without prejudice, as the infrastructure in place does not meet the minimum requirements for Low Density Residential Zoning District.

Discussion followed.

Commissioner McGregor left the meeting at 10:45 a.m.

Commissioner McGregor returned to the meeting at 10:47 a.m.

Moved by Lewis and seconded by Coleman to deny Comprehensive Plan Amendment / CA 23-06 without prejudice, as the infrastructure in place does not meet the minimum requirements for Low Density Residential Zoning District.

Commissioner Burton left the meeting at 10:59 a.m. and did not return.

All voting, the Motion carried 4 to 2. Commissioners Johnson, Coleman, Lewis, and Rossknecht voted yes. Commissioners McGregor and Kuehn voted no.

22. REZONE / RZ 23-09: Adam Weaver / Sharon Holte Weaver; Sarah Tschetter - Agent. To rezone 0.74 acre from Rural Residential District to Low Density Residential District in accordance with the Pennington County Zoning Ordinance.

Commencing at the Southeast Corner of Lot 4 of Strato Rim Estates located in Gov't Lot 4 and the SE1/4 of the SW1/4 of Section 7, Township 1 South, Range 7 East of the Black Hills Meridian, which is the POINT OF BEGINNING, POINT NO 1; Thence N 89°15'32" W - a distance of 580.00 feet to Point No. 2 which is the TRUE POINT OF BEGINNING, Thence N 30°14'44" E - a distance of 172.33 feet to Point No. 3; Thence S 89°15'32" E - a distance of 173.89 feet to Point No. 4; Thence S 00°44'28" W - a distance of 149.98 feet to Point No. 5; Thence N 89°15'32" W - a distance of 258.76 feet to the TRUE POINT OF BEGINNING, Point No. 2; Containing 0.740 Acres "more or less", located in Gov't Lot 4 and SE1/4 of SW1/4 of Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

Talmage reviewed the Staff Report indicating the applicant has applied for a Rezone to rezone 0.74 acre from Rural Residential District to Low Density Residential District.

Staff recommended to deny Rezone / RZ 23-09 without prejudice, as the infrastructure in place does not meet the minimum requirements for Low Density Residential Zoning District.

Discussion followed.

Moved by Lewis and seconded by Rossknecht to deny Rezone / RZ 23-09 without prejudice, as the infrastructure in place does not meet the minimum requirements for Low Density Residential Zoning District.

All voting, the Motion carried 5 to 1. Commissioners Johnson, Coleman, Lewis, Rossknecht and Kuehn voted yes. Commissioner McGregor voted no.

23. CONDITIONAL USE PERMIT / CU 23-26: Mike Wagner. To allow for motor vehicle rentals on the subject property in a Highway Service District in accordance with the Pennington County Zoning Ordinance.

Lot 3 of Lot D, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

(Continued from the August 14, 2023, Planning Commission meeting.)

Sack stated this item was continued from the August 14, 2023, Planning Commission meeting to address concerns of the Planning Commission.

Staff recommended approval of Conditional Use Permit / CU 23-26 with the following nineteen (19) conditions:

1. That the permitted use be limited to the rental of 20 vehicles, to include 10 UTVs and 10 cars;
2. That all assigned addresses be posted so they are clearly visible, in accordance with Pennington County Ordinance #20;
3. That access to the site be only from the approved South Dakota Department of Transportation (SDDOT) approved approach and any additional approaches off of Highway 385 be approved by SDDOT;
4. That at least 27 off-street parking spaces be designated per Pennington County Zoning Ordinance (PCZO) § 310;
5. That all UTVS and cars are to be parked on paved or gravel surfaces;
6. That any On-site Wastewater Treatment System comply with PCZO and SD Department of Agriculture and Natural Resources requirements (SD DANR);
7. That the days of operation for the rentals be allowed seven (7) days each week, and the hours of operation, for the above-mentioned, shall be between 7 a.m. and 7 p.m. only;
8. That operation of the motor vehicle rentals be from April 15th to November 1st.
9. That prior to the placement of any on-premise signs, the applicant must adhere to PCZO § 312;
10. That the UTVs be thoroughly cleaned after use, to prevent the spread of invasive weeds;
11. That a portable fire extinguisher with a minimum 2A:10B:C rating shall be placed in each structure supporting the UTV rental or maintenance so it is accessible at all times;
12. That fueling operations for the UTVs and cars occur off-site;
13. That vehicle maintenance be performed within a designated structure and that no junk or parts be allowed to accumulate on the subject property;
14. That all lighting to be installed is maintained to minimize spillage of light outside of the area, so as not to create a nuisance. Lighting must be effectively shielded to prevent beams or rays from being directed towards any portion of the traveled ways and must not be of such intensity or brilliance as to cause glare or impair the vision of any motor vehicle drivers;
15. That the applicant obtains all necessary permits from other governing bodies for the operation, including, but not limited to, a sales tax license from the South Dakota Department of Revenue;

16. That no disturbance within the boundaries of the FEMA designated Special Flood Hazard Area or Floodway occur without an approved Floodplain Development Permit;
17. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which will require a site plan to be reviewed and approved by the Planning Director;
18. That a temporary Building Permit be obtained for the office, and,
19. That this Conditional Use Permit be reviewed at the first Planning Commission meeting in March 2024, or as directed by the planning commission or on a complaint basis to ensure all proposed improvements to the subject property are completed prior to seasonal operations beginning on April 15, 2024.

Discussion followed.

Moved by Rossknecht and seconded McGregor to approve of Conditional Use Permit / CU 23-26 with the following twenty (20) conditions:

- 1. That the permitted use be limited to the rental of 20 vehicles, to include 10 UTVs and 10 cars;**
- 2. That all assigned addresses be posted so they are clearly visible, in accordance with Pennington County Ordinance #20;**
- 3. That access to the site be only from the approved South Dakota Department of Transportation (SDDOT) approved approach and any additional approaches off of Highway 385 be approved by SDDOT;**
- 4. That at least 27 off-street parking spaces be designated per Pennington County Zoning Ordinance (PCZO) § 310;**
- 5. That all UTVS and cars are to be parked on paved or gravel surfaces;**
- 6. That any On-site Wastewater Treatment System comply with PCZO and SD Department of Agriculture and Natural Resources requirements (SD DANR);**
- 7. That the days of operation for the rentals be allowed seven (7) days each week, and the hours of operation, for the above-mentioned, shall be between 7 a.m. and 7 p.m. only;**
- 8. That operation of the motor vehicle rentals be from April 15th to November 1st.**
- 9. That prior to the placement of any on-premise signs, the applicant must adhere to PCZO § 312;**

10. That the UTVs be thoroughly cleaned after use, to prevent the spread of invasive weeds;
11. That a portable fire extinguisher with a minimum 2A:10B:C rating shall be placed in each structure supporting the UTV rental or maintenance so it is accessible at all times;
12. That fueling operations for the UTVs and cars occur off-site;
13. That vehicle maintenance be performed within a designated structure and that no junk or parts be allowed to accumulate on the subject property;
14. That all lighting to be installed is maintained to minimize spillage of light outside of the area, so as not to create a nuisance. Lighting must be effectively shielded to prevent beams or rays from being directed towards any portion of the traveled ways and must not be of such intensity or brilliance as to cause glare or impair the vision of any motor vehicle drivers;
15. That the applicant obtains all necessary permits from other governing bodies for the operation, including, but not limited to, a sales tax license from the South Dakota Department of Revenue;
16. That no disturbance within the boundaries of the FEMA designated Special Flood Hazard Area or Floodway occur without an approved Floodplain Development Permit;
17. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which will require a site plan to be reviewed and approved by the Planning Director;
18. That a temporary Building Permit be obtained for the office, and,
19. That prior to the next review, the applicant address the following concerns of the Planning Commission: signage, submittal of a parking plan to include graveled parking spaces, a restroom facility agreement, and designation of an office facility; and,
20. That this Conditional Use Permit be reviewed at the first Planning Commission meeting in March 2024, or as directed by the Planning Commission or on a complaint basis to ensure all proposed improvements to the subject property are completed prior to seasonal operations beginning on April 15, 2024.

All voting aye, the Motion carried 6 to 0.

24. COUNTY BOARD REPORT

The Board of Commissioners will hear the Planning Commission's recommendations from the August 14, 2023, Planning Commission meeting at their Tuesday, September 5, 2023, meeting.

25. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

26. ITEMS FROM THE STAFF

There were no items from Staff.

27. ITEMS FROM THE MEMBERSHIP

Commissioner Johnson spoke of the usefulness of the Vacation Home Memo.

28. ADJOURNMENT

Moved by Rossknecht and seconded by McGregor to adjourn.

All voting aye, the Motion carried 6 to 0.

The meeting adjourned at 11:26 a.m.

Charlie Johnson, Chairperson