

**MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
September 12, 2022 @ 9:00 a.m.**

County Commissioners' Meeting Room - Pennington County Administration Building

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

STAFF PRESENT: Brittney Molitor, Cody Sack, Jason Theunissen, and Megan Krueger (State's Attorney's Office).

ROLL CALL

1. APPROVAL OF THE AUGUST 22, 2022, MINUTES
Moved by Burton and seconded by McGregor to approve the Minutes of the August 22, 2022, Planning Commission meeting. Vote: unanimous 7 to 0.

2. APPROVAL OF THE AGENDA
Moved by Lasseter and seconded by Kuehn to approve the Agenda of the September 12, 2022, Planning Commission meeting. Vote: unanimous 7 to 0.

Moved by McGregor and seconded by Coleman to approve the Consent Agenda of the September 12, 2022, Planning Commission meeting. 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 REVIEW / CU 13-22:** Dudley and Ila LaPointe. To review a single-wide mobile home to be used as a single-family residence in a Suburban Residential District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot 25, Block 7, Green Valley Estates, Section 23, T1N, R8E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 13-22 with the following seven (7) conditions:

1. **That the minimum setback requirements of a Suburban Residential District continue to be maintained on the property, or the appropriate Setback Variance be obtained;**

2. That no parking be allowed in the area containing the On-Site Wastewater Treatment System (OSWTS) or any part of the driveway be located over the OSWTS unless approved by Pennington County;
3. That 2 off-street parking spaces continue to be provided in accordance with Pennington County Zoning Ordinance Section #310;
4. That the property continues to be kept free of debris and junk vehicles, in accordance with Pennington County's Ordinance #106;
5. That the lot address (4667 Anderson Road) continue to be posted so it is clearly visible from both directions of travel along Anderson Road, at all times, in accordance with Pennington County's Ordinance #20;
6. That the mobile home continue to maintain a peaked non-reflective type roof, wood or simulated wood-type siding, and skirting; and,
7. That this Conditional Use Permit be reviewed 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.

4. **CONDITIONAL USE PERMIT REVIEW / CU 17-35:** Carolyn Hunt. To review a single-wide mobile home to be used as a single-family residence on the subject property in a Suburban Residential District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot C, Block 1, Sathe Subdivision, Section 15, T2N, R8E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 17-35 with the following six (6) conditions:

1. That the minimum setback requirements of a Suburban Residential District be continually maintained on the property or the appropriate setback variance be obtained;
2. That the subject property remains free of debris and junk vehicles;
3. That the single-wide mobile home installed on the property continue to have a peaked, non-reflective type roof and wood or simulated wood-type siding that is continually maintained;
4. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
5. That the address is clearly posted on the residence and so that it is visible from both directions of travel on Bennett Road in accordance with Pennington County's Ordinance #20; and,

6. That this Conditional Use Permit be reviewed on a complaint basis, or as directed by the Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

Vote: unanimous 7 to 0.

5. **CONDITIONAL USE PERMIT REVIEW / CU 21-50:** Rodney and Treva Golz. To review an accessory structure prior to a primary structure on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 2, Block 1, Mountain Park Subdivision, Section 5, T1N, R6E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 21-50 with the following eight (8) conditions:

1. That an approved Floodplain Development Permit be obtained prior to any disturbance within the boundaries of the Special Flood Hazard Area located on the subject property;
2. That an address for the shed be properly posted in accordance with Pennington County Ordinance #20, so that it is visible from S. Creek View Road;
3. That the proposed shed continue to be used for personal use only, no commercial-type use is allowed;
4. That the minimum setback requirements for a Rural Residential District continue to be maintained on the property or the appropriate Variance(s) be obtained;
5. That the property continue to remain free of junk and debris;
6. 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;
7. That the applicant adheres to Pennington County Zoning Ordinance § 510; and,
8. That this Conditional Use Permit be reviewed 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.

END OF CONSENT AGENDA

Moved by Lewis and seconded by Burton to wave rules to discuss directly related and similar Agenda Items 6 and 7 at the same time. All voting aye, the Motion carried 7 to 0.

6. ROAD NAMING: Kevin Thom. To name a 40-foot-wide private access easement providing access to properties located in Sections 11 and 12, T1N, R6E, BHM, Pennington County, South Dakota, to Labrador Trail.

Sack reviewed the Staff Report indicating the applicant has applied to name a 40-foot-wide private access easement to Labrador Trail.

Staff recommended approval of the Road Name of Labrador Trail.

Discussion followed.

Moved by McGregor and seconded by Coleman to approve the Road Name of Labrador Trail.

All voting, the Motion carried 6 to 0. Commissioner Burton abstained.

7. ROAD NAMING: Andrew Scull. To name a 66-foot-wide private access easement providing access to properties located in Section 11, T1N, R6E, BHM, Pennington County, South Dakota, to Archer Way.

Sack reviewed the Staff Report indicating the applicant has applied to name a 66-foot-wide private access easement to Archer Way.

Staff recommended approval of the Road Name of Archer Way.

Discussion followed.

Moved by Lewis and seconded by McGregor to approve the Road Name of Archer Way.

All voting, the Motion carried 6 to 0. Commissioner Burton abstained.

8. CONDITIONAL USE PERMIT / CU 22-39: A & B Cabins, LLC; Alyssa and Brian Boche. To allow an existing cabin to remain and be used as storage only on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot D of Lot 14, Clear Creek Placer MS 1184, Section 15, T1N, R5E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow an existing cabin to remain and be used as storage only.

Staff recommended approval of Conditional Use Permit / CU 22-29 with the following seven (7) conditions:

1. That the small cabin not be used for living quarters but only for storage;
2. That the minimum setback requirements for a Rural Residential District be maintained on the property or the appropriate Variance(s) be obtained;
3. That the property remains free of junk and debris;
4. 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;
5. That the address for the main residence (12727 N Prairie Creek Road) be posted so that it can be seen from both directions of travel on N Prairie Creek Road in accordance with Pennington County Ordinance #20;
6. That the applicant adheres to Pennington County Zoning Ordinance § 510; and,
7. That this Conditional Use Permit be reviewed in 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 Lewis and seconded by Kuehn to continue Conditional Use Permit / CU 22-29 to the September 26, 2022, Planning Commission meeting to address concerns of the Planning Commission.

All voting aye, the Motion carried 7 to 0.

9. CONDITIONAL USE PERMIT / CU 22-38: Andrew Evens. To allow accessory structures, a shop building and loafing shed, prior to a primary structure on the subject property in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 7, Aldren Addition, Section 33, T2N, R11E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow accessory structures, a shop building and loafing shed, prior to a primary structure on the subject property.

Staff recommended approval of Conditional Use Permit / CU 22-38 with the following nine (9) conditions:

1. That an approved Building Permit be obtained for the proposed shop building and loafing shed, which requires a site plan to be reviewed and approved by the Planning Director;

2. That an address be assigned for the proposed shop building and loafing shed and be properly posted in accordance with Pennington County Ordinance #20, so that it is visible from Highway 1416;
3. That the applicant obtains an approved Approach Permit from the Pennington County Highway Department;
4. That the proposed shop and loafing shed be used for personal use only no commercial-type use is allowed;
5. That the minimum setback requirements for an Agriculture District be maintained on the property or the appropriate Variance(s) be obtained;
6. That the property remains free of junk and debris;
7. 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;
8. That the applicant adheres to Pennington County Zoning Ordinance Section 510; and,
9. That this Conditional Use Permit be reviewed in 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 Kuehn and seconded by Burton to approve of Conditional Use Permit / CU 22-38 with the following nine (9) conditions:

- 1. That an approved Building Permit be obtained for the proposed shop building and loafing shed, which requires a site plan to be reviewed and approved by the Planning Director;**
- 2. That an address be assigned for the proposed shop building and loafing shed and be properly posted in accordance with Pennington County Ordinance #20, so that it is visible from Highway 1416;**
- 3. That the applicant obtains an approved Approach Permit from the Pennington County Highway Department;**
- 4. That the proposed shop and loafing shed be used for personal use only no commercial-type use is allowed;**
- 5. That the minimum setback requirements for an Agriculture District be maintained on the property or the appropriate Variance(s) be obtained;**
- 6. That the property remains free of junk and debris;**

7. **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;**
8. **That the applicant adheres to Pennington County Zoning Ordinance Section 510; and,**
9. **That this Conditional Use Permit be reviewed in 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.

10. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 22-11: Kristin Bennett / Haven Homes, LLC. To amend an existing Planned Unit Development to allow a Vacation Home Rental on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Lot 2, Merchen Addition No. 2, Section 21, T2N, R6E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant has applied for a Minor Planned Unit Development Amendment to allow a Vacation Home Rental.

Staff recommended to continue Minor Planned Unit Development Amendment / PU 22-11 to the October 11, 2022, Planning Commission meeting to allow the applicant time to advertise as a Bed and Breakfast or obtain a State Lodging License for a Vacation Home Rental.

Discussion followed.

Moved by McGregor and seconded by Lasseter to continue Minor Planned Unit Development Amendment / PU 22-11 to the October 11, 2022, Planning Commission meeting to allow staff time to meet with the applicant.

All voting aye, the Motion carried 7 to 0.

11. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 22-12: Rapid City MHP, LLC; Jeanine Maskovich - Agent. To amend an existing Planned Unit Development to specify size and location of accessory structures on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Tract C of Lot B of NE1/4NW1/4 Less Pengra Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicant has applied for a Minor Planned Unit Development Amendment to specify size and location of accessory structures on the subject property.

Staff recommended approval of Minor Planned Unit Development Amendment / PUD 22-12 with the following twenty-three (23) conditions:

1. That the PUD has a maximum of 57 mobile home spaces, one duplex, two stick-built structures and a total of 75 storage units;
2. That each mobile home space be allowed one mobile home, manufactured home or modular home (single-wide or double-wide);
3. That the mobile homes shall have a minimum 20-foot separation between units;
4. That decks, porches, and storage sheds (up to 12' x 20'), be allowed as accessory structures to each mobile home;
5. That storage sheds shall have a minimum 4-foot separation from any other structures or utility posts;
6. That lean-to (mud room) additions be permitted as residential additions;
7. That lean-to (mud room) additions be constructed to visually match the home, be subject to community standards, and be subject to the setback requirements of a mobile home within the park;
8. That the mobile homes shall have a minimum front yard setback of ten (10) feet from all access roads within the mobile home park and a setback of twenty-five (25) feet from exterior property lines;
9. That the mobile homes maintain a minimum ten (10) foot rear yard and side yard setback from interior lot lines;
10. That each mobile home space has a minimum of two (2) off-street parking spaces, and that each parking space shall not be less than nine (9) feet by eighteen feet, surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use;
11. That 13 visitor parking spaces are provided. Each space must measure a minimum of 9 feet x 18 feet, be surfaced in gravel, concrete or asphalt and maintained in a dust free manner;
12. That prior to the issuance of a Building Permit, the existing On-Site Wastewater Treatment System be pumped and inspected and any repairs completed;
13. That a Building Permit shall be obtained for the removal or placement of mobile homes or manufactured homes on the property;
14. That a Building Permit be obtained for structures exceeding 144 square feet or located on a permanent foundation which will require a site plan to be reviewed and approved by the Planning Director;

15. That the mobile home park be provided with an on-site management office;
16. That all the interior streets shall be a minimum of 25 feet in width and surfaced with gravel, concrete or asphalt and maintained in a dust free manner as required by Section 305;
17. That prior to the placement of mobile homes or any other structures within the 100-year floodplain, a Floodplain Development Permit shall be submitted for review and approval;
18. That prior to any repair or replacement of the wastewater disposal system, the SD Department of Agriculture and Natural Resources and the Pennington County Environmental Technician shall review and approve the work and a Floodplain Development Permit shall be obtained for any work within the 100-year floodplain;
19. That the storage units be used exclusively for storage and not retail business activities;
20. That each unit has an individual address that must be posted in accordance with Pennington County Ordinance Amendment #20;
21. That the Planning Director may allow additional development or construction which is consistent with the existing development on this property; significant changes in the use or impacts on adjacent land uses as determined by the Planning Director shall require an amendment to this Planned Unit Development;
22. That the first one hundred feet off of Sturgis Road be hard surfaced; and,
23. That this PUD be reviewed in 3 years, on a complaint basis, or deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

Discussion followed.

Commissioner Lasseter left the meeting at 9:38 a.m.

Commissioner Lasseter returned to the meeting at 9:40 a.m.

Moved by Burton and seconded by McGregor to approve of Minor Planned Unit Development Amendment / PUD 22-12 with the following twenty-three (23) conditions:

- 1. That the PUD has a maximum of 57 mobile home spaces, one duplex, two stick-built structures and a total of 75 storage units;**
- 2. That each mobile home space be allowed one mobile home, manufactured home or modular home (single-wide or double-wide);**

3. That the mobile homes shall have a minimum 20-foot separation between units;
4. That decks, porches, and storage sheds (up to 12' x 20'), be allowed as accessory structures to each mobile home;
5. That storage sheds shall have a minimum 4-foot separation from any other structures or utility posts;
6. That lean-to (mud room) additions be permitted as residential additions;
7. That lean-to (mud room) additions be constructed to visually match the home, be subject to community standards, and be subject to the setback requirements of a mobile home within the park;
8. That the mobile homes shall have a minimum front yard setback of ten (10) feet from all access roads within the mobile home park and a setback of twenty-five (25) feet from exterior property lines;
9. That the mobile homes maintain a minimum ten (10) foot rear yard and side yard setback from interior lot lines;
10. That each mobile home space has a minimum of two (2) off-street parking spaces, and that each parking space shall not be less than nine (9) feet by eighteen feet, surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use;
11. That 13 visitor parking spaces are provided. Each space must measure a minimum of 9 feet x 18 feet, be surfaced in gravel, concrete or asphalt and maintained in a dust free manner;
12. That prior to the issuance of a Building Permit, the existing On-Site Wastewater Treatment System be pumped and inspected and any repairs completed;
13. That a Building Permit shall be obtained for the removal or placement of mobile homes or manufactured homes on the property;
14. That a Building Permit be obtained for structures exceeding 144 square feet or located on a permanent foundation which will require a site plan to be reviewed and approved by the Planning Director;
15. That the mobile home park be provided with an on-site management office;
16. That all the interior streets shall be a minimum of 25 feet in width and surfaced with gravel, concrete or asphalt and maintained in a dust free manner as required by Section 305;

17. That prior to the placement of mobile homes or any other structures within the 100-year floodplain, a Floodplain Development Permit shall be submitted for review and approval;
18. That prior to any repair or replacement of the wastewater disposal system, the SD Department of Agriculture and Natural Resources and the Pennington County Environmental Technician shall review and approve the work and a Floodplain Development Permit shall be obtained for any work within the 100-year floodplain;
19. That the storage units be used exclusively for storage and not retail business activities;
20. That each unit has an individual address that must be posted in accordance with Pennington County Ordinance Amendment #20;
21. That the Planning Director may allow additional development or construction which is consistent with the existing development on this property; significant changes in the use or impacts on adjacent land uses as determined by the Planning Director shall require an amendment to this Planned Unit Development;
22. That the first one hundred feet off of Sturgis Road be hard surfaced; and,
23. That this PUD be reviewed in 3 years, on a complaint basis, or deemed necessary 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.

12. ORDINANCE AMENDMENT / OA 22-08: Pennington County. To amend Ordinance 735 “Pennington County Building Code and Construction Ordinance” [to amend and supersede the existing Pennington County Building Code and Construction Ordinance”].

Theunissen reviewed the Staff Report indicating this is an amendment to Ordinance 735 to address contractor’s licensing procedure and to update references to codes.

Staff recommended approval of Ordinance Amendment / OA 22-08.

Discussion followed.

Commissioner Burton left the meeting at 9:46 a.m.

Commissioner Burton returned to the meeting at 9:47 a.m.

Moved by Lewis and seconded by McGregor to approve of Ordinance Amendment / OA 22-08.

All voting aye, the Motion carried 7 to 0.

13. CONDITIONAL USE PERMIT / CU 22-40: Scenic Volunteer Fire Department; Charles Maude - Agent. To allow a Fire Station on the subject property in an Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

E1/2SE1/4SW1/4SW1/4SE1/4; SW1/4SE1/4SW1/4SE1/4; W1/2SE1/4SE1/4SW1/4SE1/4; W1/2E1/2SE1/4SE1/4SW1/4SE1/4; and W1/2W1/2E1/2E1/2SE1/4SE1/4SW1/4SE1/4, Section 33, T2S, R13E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a fire station on the subject property.

Staff will be recommending approval of Conditional Use Permit / CU 22-40 with the following eleven (11) conditions:

1. That a minimum of ten (10) off-street parking spaces be provided. Each parking space shall measure at least nine (9) feet by eighteen (18) feet and the off-street parking spaces shall be maintained in a dust free manner;
2. That an approved Approach Permit is obtained prior to submittal of a Building Permit;
3. 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;
4. That an address be assigned for the proposed Fire Station and properly posted in accordance with Pennington County Ordinance #20, so that it is visible from Bear Creek Road;
5. That all lighting located on the outside of the building be directed towards the ground;
6. That prior to any expansion to the fire station or addition of any non-accessory buildings, the applicant be required to have the Conditional Use Permit amended with notification to surrounding property owners;
7. That personal vehicles cannot be stored, maintained or repaired on the property and that all non-fire related overnight stays be prohibited;
8. That prior to issuance of a Building Permit, the applicant shall submit the appropriate paperwork to the South Dakota Department of Agriculture and Natural Resources for review and approval of the on-site wastewater treatment system;
9. That prior to the issuance of a Building Permit, the Lot Size Variance is approved and effective;
10. That the applicant adheres to Pennington County Zoning Ordinance Section 510; and,

11. That this Conditional Use Permit shall be reviewed in 1 year, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to ensure compliance with the PCZO, Conditions of Approval, and state law.

Discussion followed.

Moved by Lasseter and seconded by Burton to approve of Conditional Use Permit / CU 22-40 with the following eleven (11) conditions:

- 1. That a minimum of ten (10) off-street parking spaces be provided. Each parking space shall measure at least nine (9) feet by eighteen (18) feet and the off-street parking spaces shall be maintained in a dust free manner;**
- 2. That an approved Approach Permit is obtained prior to submittal of a Building Permit;**
- 3. 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;**
- 4. That an address be assigned for the proposed Fire Station and properly posted in accordance with Pennington County Ordinance #20, so that it is visible from Bear Creek Road;**
- 5. That all lighting located on the outside of the building be directed towards the ground;**
- 6. That prior to any expansion to the fire station or addition of any non-accessory buildings, the applicant be required to have the Conditional Use Permit amended with notification to surrounding property owners;**
- 7. That personal vehicles cannot be stored, maintained or repaired on the property and that all non-fire related overnight stays be prohibited;**
- 8. That prior to issuance of a Building Permit, the applicant shall submit the appropriate paperwork to the South Dakota Department of Agriculture and Natural Resources for review and approval of the on-site wastewater treatment system;**
- 9. That prior to the issuance of a Building Permit, the Lot Size Variance is approved and effective;**
- 10. That the applicant adheres to Pennington County Zoning Ordinance Section 510; and,**
- 11. That this Conditional Use Permit shall be reviewed in 1 year, on a complaint basis, or as directed by the Pennington County Planning Commission or**

Board of Commissioners to ensure compliance with the PCZO, Conditions of Approval, and state law.

All voting aye, the Motion carried 7 to 0.

14. TAX INCREMENT FINANCE DISTRICT #5 AMENDMENT: To amend the existing Tax Increment Finance District #5, which was submitted by the City of Box Elder for the purpose of developing Liberty Plaza and will consist of single-family and multi-family housing, commercial/retail space and Liberty Center to include infrastructure, such as new wells, street and sanitary upgrades. Liberty Center will replace Pride Hanger and serve as Ellsworth AFB community center located in the City of Box Elder. The property is located near the intersection of N. Ellsworth Road and Liberty Boulevard.

Molitor stated this is an amendment to Tax Increment Finance District #5 to amend the existing Tax Increment Finance District #5, which was submitted by the City of Box Elder for the purpose of developing Liberty Plaza and approved by the Board of Commissioners of December 15, 2020.

Discussion followed.

Commissioner Lasseter left the meeting at 10:07 a.m.
Commissioner Lasseter returned to the meeting at 10:09 a.m.

Moved by McGregor and seconded by Lasseter to approve of the amendment to Tax Increment Finance District #5.

All voting aye, the Motion carried 7 to 0.

15. COUNTY BOARD REPORT
The Board of Commissioners concurred with the Planning Commission's recommendations from their August 22nd meeting.

ORDINANCE AMENDMENT / OA 22-01: To add Section 321 – Hard Rock Mining. This item was heard at the September 6, 2022, Board of Commissioner's meeting and was continued for further research.

16. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

17. ITEMS FROM THE STAFF

- A. Building Permit Report. Molitor reviewed the August 2022 Building Permit Report.
- B. Western Planner's Conference. Molitor stated that Planning staff will be attending the Western Planner's Conference in Bismarck, ND, through Friday, September 16th.
- C. Planning Department – New Employees. Molitor introduced two new employees to the Planning Department - Megan Talmage and Christine Phillip.

18. ITEMS FROM THE MEMBERSHIP

There were no items from the membership.

19. ADJOURNMENT

Moved by Lasseter and seconded by Lewis to adjourn.

All voting aye, the Motion carried 7 to 0.

The meeting adjourned at 10:23 a.m.

Charlie Johnson, Chairperson