

**DRAFT MINUTES
PENNINGTON COUNTY PLANNING COMMISSION**

November 9, 2020 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

MEMBERS PRESENT: Rich Marsh, Travis Lasseter, Charlie Johnson, Kathy Johnson, Sande Runde, and Jim Coleman (teleconference).

STAFF PRESENT: Brittney Molitor, Stephanie Jansen, Cody Sack, Jason Theunissen, Cullen McNeece (SAO) and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE OCTOBER 26, 2020, MINUTES

Moved by Lasseter and seconded by C. Johnson to approve the Minutes of the October 26, 2020, Planning Commission meeting, with a correction to the Consent Agenda vote and that the vote is 4 to 0 on each item. Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

2. APPROVAL OF THE AGENDA

Moved by Runde and seconded by K. Johnson to approve the Agenda of the November 9, 2020, Planning Commission meeting. Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

Moved by K. Johnson and seconded by Lasseter to approve the Consent Agenda of the November 9, 2020, Planning Commission meeting. Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 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 are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONDITIONAL USE PERMIT REVIEW / CU 15-30:** Peaceful Valley Hideaway, LLC (William and Valerie Landis). To review a multi-family dwelling in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot C of Lot 2, New York Subdivision, Section 24, T2N, R5E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 15-30 with the following five (5) conditions:

1. That a minimum of four (4) off-street parking spaces continue to be provided on-site, each measuring a minimum of nine (9) feet by eight (18) feet, surfaced with gravel, concrete or asphalt, and maintained in a dust-free manner;
2. That the property continue to be kept free of debris and junk vehicles;
3. That the address (12987 Bogus Jim Road) and unit numbers continue to be clearly posted on the residence and so it is visible from Bogus Jim Road in accordance with Pennington County's Ordinance #20;
4. That smoke alarms and fire extinguishers be properly maintained in working order in each unit; and,
5. That this Conditional Use Permit be reviewed in five (5) years, 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 6 to 0.

4. **CONDITIONAL USE PERMIT REVIEW / CU 16-39:** Troxel Properties, LLC; Pam Troxel – Agent. To review a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot B of NW1/4NE1/4 and 1/2 Vac Rd Adj to said Lot, Section 16, T1N, R6E, BHM, Pennington County, South Dakota.

To approve the extension of Conditional Use Permit / CU 16-39 with the following fifteen (15) conditions:

1. That the maximum overnight occupancy, based on SD DENR approval, continue to be limited to four (4) people and the maximum daytime occupancy be limited to eight (8) people;
2. That the applicant continue to provide a landline in case of an emergency, which will be verified by the Planning Department;
3. That if any additions to the structure and/or if the on-site wastewater treatment system 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 DENR;
4. That a 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 an On-site Wastewater Construction Permit be obtained for any upgrades or changes to the existing on-site wastewater treatment system;
6. That the applicant maintain current licenses 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 prior to operation of the Vacation Home Rental;
7. That the minimum of two (2) off-street parking spaces continue to be provided on-site, each measure a minimum of nine (9) feet by eighteen (18) feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner in accordance with Section 310 of the Pennington County Zoning Ordinance;
8. That an interior information sign continue to be posted in accordance with the requirements of Pennington County Zoning Ordinance Section 319-G, with 9-1-1 and (605) 394-4139 listed as contacts for Fire Department and Sheriff's Department respectively, during operation of the VHR. The interior informational sign must also contain a color map illustrating the Special Flood Hazard Area, as determined by FEMA;
9. That the existing driveway remains gravel so as the inlet, outlet, and pumping access ports for the septic tank are accessible;
10. That the lot address continue to be posted at all times so it is clearly visible from Hisega Drive, in accordance with Pennington County's Ordinance #20;
11. That the applicant ensure the VHR is continually operating in accordance with the requirements of Pennington County Zoning Ordinance Section 319-F (Performance Standards) at all times;
12. That prior to any disturbance within the boundaries of the Special Flood Hazard Area, an approved Floodplain Development Permit be obtained;
13. That if the person designed as the Local Contact is ever changed from Pam Troxel, the interior information sign be updated and the applicant notify the Planning Department and surrounding landowners within 500 feet via letters sent First Class mail;
14. 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; and,
15. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Board of Commissioners or Planning Commission to verify that all Conditions of Approval are being met.

Note: unanimous 6 to 0.

5. **CONDITIONAL USE PERMIT REVIEW / CU 19-29:** Chad and Nancy Reber / Reber Sanitation. To review a contractor's equipment storage yard on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of W1/2SW1/4 Less Tract A of Lot 1, Less Blaseg Subdivision and Less Right-of-Way, Section 15, T2N, R8E, BHM, Pennington County, South Dakota

To approve the extension of Conditional Use Permit / CU 19-29 with the following ten (10) conditions:

1. **That all exterior lighting continue to be of low level intensity, which does not result in excessive glare upon surrounding neighbors, so as not to cause a nuisance;**
2. **That the addresses for both the Contractor's Equipment Storage Yard and the single-family residence continue to be posted at all times in accordance with Pennington County's Ordinance #20;**
3. **That the minimum number of required parking spaces continue to be provided in accordance with Pennington County Zoning Ordinance Section 310(A)(t), which requires parking or storage for all vehicles used directly in the conduct of such industrial use, plus one parking space for every three employees on the premise at maximum employment on a single shift;**
4. **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;**
5. **That any Onsite Wastewater Treatment System continue to be permitted through the City of Rapid City;**
6. **That an approved Floodplain Development Permit be obtained prior to any disturbance within the boundaries of the Special Flood Hazard Area;**
7. **That the storage of materials, equipment, and supplies be contained to the pole barn structure and its immediate parking area only;**
8. **That the property remains free of debris and junk vehicles and all structures be well-maintained; and,**
9. **That this Conditional Use Permit automatically expire if the use for which the Conditional Use Permit was granted has ceased for a period of one year or more.**

10. 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.

Vote: unanimous 6 to 0.

END OF CONSENT AGENDA

6. **MINING PERMIT REGISTRATION / MP 20-06:** Croell, Inc. To register an existing mining operation in accordance with Sections 205 and 320 of the Pennington County Zoning Ordinance.

All Less RR Row of Section 28, T1S, R11E, and the SW1/4, S1/2SE1/4 Less RTY of Section 21, T1S, R11E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant is registering an existing mining operation to establish the legal nonconforming status of the mine.

Staff recommend approval of Mining Permit Registration / MP 20-06 with the following two (2) conditions:

1. That the permit limit of the Farmingdale Pit be no more than approximately 344 acres on the subject properties south of E. Highway 44 described as All Less RR Row of Section 28, T1S, R11E, and the SW1/4, S1/2SE1/4 Less RTY of Section 21, T1S, R11E, BHM, Pennington County, South Dakota; and,
2. That the Mining Operation continually meets Section 320(H) of the Zoning Ordinance.

Discussion followed.

Moved by Lasseter and seconded by Runde to approve of Mining Permit Registration / MP 20-06 with the following two (2) conditions:

1. That the permit limit of the Farmingdale Pit be no more than approximately 344 acres on the subject properties south of E. Highway 44 described as All Less RR Row of Section 28, T1S, R11E, and the SW1/4, S1/2SE1/4 Less RTY of Section 21, T1S, R11E, BHM, Pennington County, South Dakota; and,
2. That the Mining Operation continually meets Section 320(H) of the Zoning Ordinance.

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

7. MINING PERMIT REGISTRATION / MP 20-07: Pennington County Highway Department. To register an existing mining operation in accordance with Sections 205 and 320 of the Pennington County Zoning Ordinance.

All of Section 28, T1N, R2E, and All of Section 27, T1N, R2E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant is registering an existing mining operation to establish the legal nonconforming status of the mine.

Staff recommend approval of Mining Permit Registration / MP 20-07 with the following two (2) conditions:

1. That the permit limit of the Nichols Creek Quarry be 5.0 acres, more or less, as determined by the United States Forest Service, on the properties described as All of Section 28, T1N, R2E, and All of Section 27, T1N, R2E, BHM, Pennington County, South Dakota; and,
2. That the Mining Operation continually meets Section 320(H) of the Pennington County Zoning Ordinance.

Discussion followed.

Moved by K. Johnson and seconded by Lasseter to approve of Mining Permit Registration / MP 20-07 with the following two (2) conditions:

1. **That the permit limit of the Nichols Creek Quarry be 5.0 acres, more or less, as determined by the United States Forest Service, on the properties described as All of Section 28, T1N, R2E, and All of Section 27, T1N, R2E, BHM, Pennington County, South Dakota; and,**
2. **That the Mining Operation continually meets Section 320(H) of the Pennington County Zoning Ordinance.**

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

8. MINING PERMIT REGISTRATION / MP 20-08: Pennington County Highway Department. To register an existing mining operation in accordance with Sections 205 and 320 of the Pennington County Zoning Ordinance.

N1/2, Less RTY, N1/2SW1/4 of Section 17, T2S, R14E, and GL 3; N1/2SE1/4; NE1/4SW1/4 of Section 18, T2S, R14E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant is registering an existing mining operation to establish the legal nonconforming status of the mine.

Staff recommend approval of Mining Permit Registration / MP 20-08 with the following two (2) conditions:

Staff recommended approval of Mining Permit Registration / MP 20-08 with the following two (2) conditions:

1. That the permit limit be 556.14 acres with no more than 40 acres of disturbed areas at one time on the properties described as N1/2, Less RTY, N1/2SW1/4 of Section 17, T2S, R14E, and GL 3; N1/2SE1/4; NE1/4SW1/4 of Section 18, T2S, R14E, BHM, Pennington County, South Dakota; and,
2. That the Mining Operation continually meets Section 320(H) of the Zoning Ordinance.

Discussion followed.

Moved by Runde and seconded by Coleman to approve of Mining Permit Registration / MP 20-08 with the following two (2) conditions:

- 1. That the permit limit be 556.14 acres with no more than 40 acres of disturbed areas at one time on the properties described as N1/2, Less RTY, N1/2SW1/4 of Section 17, T2S, R14E, and GL 3; N1/2SE1/4; NE1/4SW1/4 of Section 18, T2S, R14E, BHM, Pennington County, South Dakota; and,**
- 2. That the Mining Operation continually meets Section 320(H) of the Zoning Ordinance.**

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

9. MINING PERMIT REGISTRATION / MP 20-09: Pennington County Highway Department. To register an existing mining operation in accordance with Sections 205 and 320 of the Pennington County Zoning Ordinance.

S1/2SW1/4 Less Lot 1 of SW1/4SW1/4 and Lot 1 of SE1/4SW1/4 and Tract 1 of May Subdivision; SW1/4SE1/4 Less Lot 1; Lot 1 of SE1/4SE1/4 Less Row; Lot K of SW1/4 and ALL Less Tract 1 of May Subdivision, Less That Pot of NE1/4 Lying N of E HWY 44 and Less ROW of Section 24, T1S, R10E, BHM, Pennington County, South Dakota.

Sack reviewed the Staff Report indicating the applicant is registering an existing mining operation to establish the legal nonconforming status of the mine.

Staff recommend approval of Mining Permit Registration / MP 20-09 with the following two (2) conditions:

1. That the permit limit be 636.2 acres with no more than 40 acres of disturbed areas at one time on the properties described as S1/2SW1/4 Less Lot 1 of SW1/4SW1/4 and Lot 1 of SE1/4SW1/4 and Tract 1 of May Subdivision; SW1/4SE1/4 Less Lot 1; Lot 1 of SE1/4SE1/4 Less Row; Lot K of SW1/4 and ALL Less Tract 1 of May

Subdivision, Less That Pot of NE1/4 Lying N of E HWY 44 and Less ROW of Section 24, T1S, R10E, BHM, Pennington County, South Dakota; and,

2. That the Mining Operation continually meets Section 320(H) of the Pennington County Zoning Ordinance.

Discussed followed.

Moved by K. Johnson and seconded by Lasseter to approve of Mining Permit Registration / MP 20-09 with the following two (2) conditions:

1. **That the permit limit be 636.2 acres with no more than 40 acres of disturbed areas at one time on the properties described as S1/2SW1/4 Less Lot 1 of SW1/4SW1/4 and Lot 1 of SE1/4SW1/4 and Tract 1 of May Subdivision; SW1/4SE1/4 Less Lot 1; Lot 1 of SE1/4SE1/4 Less Row; Lot K of SW1/4 and ALL Less Tract 1 of May Subdivision, Less That Pot of NE1/4 Lying N of E HWY 44 and Less ROW of Section 24, T1S, R10E, BHM, Pennington County, South Dakota; and,**
2. **That the Mining Operation continually meets Section 320(H) of the Pennington County Zoning Ordinance.**

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

10. LAYOUT PLAN / LPL 20-33: David and Luann Hintz. To combine lots to create Lot 1R, Block 11, The Ranch at Black Gap in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1 and Lot 2, Block 11, The Ranch at Black Gap, Section 9, T1S, R8E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1R, Block 11, The Ranch at Black Gap, Section 9, T1S, R8E, BHM, Pennington County, South Dakota.

Jansen reviewed the Staff Report indicating the applicants have applied for a Layout Plan to combine lots to create Lot 1R, Block 11, The Ranch at Black Gap.

Staff recommended approval of Layout Plan / LPL 20-33 with the following seven (7) conditions:

1. That at the time of Preliminary Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That at the time of the Preliminary Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;

3. That at the time of Preliminary Plat submittal, the plat meets the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
4. That prior to filing the Plat with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Variance(s) to Subdivision Regulations be obtained waiving any of these requirements that are not met. Subdivision Regulations Variances shall be submitted per Section 700 of the Pennington County Subdivision Regulations;
5. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lots for review and approval by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
6. That all natural drainage ways are maintained and are not blocked; and,
7. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.

Discussion followed.

Moved by C. Johnson and seconded by Lasseter to approve of Layout Plan / LPL 20-33 with the following seven (7) conditions:

- 1. That at the time of Preliminary Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;**
- 2. That at the time of the Preliminary Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;**
- 3. That at the time of Preliminary Plat submittal, the plat meets the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;**
- 4. That prior to filing the Plat with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Variance(s) to Subdivision Regulations be obtained waiving any of these requirements that are not met. Subdivision Regulations Variances shall be submitted per Section 700 of the Pennington County Subdivision Regulations;**
- 5. That at the time of the Minor Plat submittal, percolation tests and soil profile hole information be submitted for the proposed lots for review and approval**

by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;

- 6. That all natural drainage ways are maintained and are not blocked; and,**
- 7. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.**

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

11. MINOR PLAT / MPL 20-34: David and Kari Kelting; Fisk Land Surveying – Agent. To subdivide and create Lots 4A and 4B of Lot 4 of Tract 3 of Tigerville Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 4 of Tract 3, Tigerville Subdivision, Section 9, T1S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 4A and 4B of Lot 4 of Tract 3 of Tigerville Subdivision, Section 9, T1S, R4E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating the applicant has applied for a Minor Plat to subdivide and create Lots 4A and 4B of Lot 4 of Tract 3 of Tigerville Subdivision.

Staff recommended approval of Minor Plat / MPL 20-34 with the following seven (7) conditions:

1. That the applicants obtain approved Approach Permits from the Tigerville Road District prior to installation of any approaches off of Tigerville Road;
2. That the applicants ensure all natural drainage ways are maintained and not blocked;
3. That prior to filing the Plat with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Variance(s) to Subdivision Regulations be obtained waiving any of these requirements that are not met. Subdivision Regulations Variances shall be submitted per Section 700 of Pennington County Subdivision Regulations;
4. That prior to Minor Plat submittal, the Certifications on the Minor Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;
5. That at the time of Minor Plat submittal, the plat meets the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;

6. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement; and,
7. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit.

Discussion followed.

Moved by Runde and seconded by Coleman to approve of Minor Plat / MPL 20-34 with the following seven (7) conditions:

- 1. That the applicants obtain approved Approach Permits from the Tigerville Road District prior to installation of any approaches off of Tigerville Road;**
- 2. That the applicants ensure all natural drainage ways are maintained and not blocked;**
- 3. That prior to filing the Plat with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Variance(s) to Subdivision Regulations be obtained waiving any of these requirements that are not met. Subdivision Regulations Variances shall be submitted per Section 700 of Pennington County Subdivision Regulations;**
- 4. That prior to Minor Plat submittal, the Certifications on the Minor Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;**
- 5. That at the time of Minor Plat submittal, the plat meets the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;**
- 6. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement; and,**
- 7. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit.**

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

12. CONDITIONAL USE PERMIT REVIEW / CU 16-18: Richard and Susan Raposa. To review the transfer of a Vacation Home Rental in a Low Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A Revised of Lot 15, Stratmeyer Addition, Section 14, T1S, R6E, BHM, Pennington County, South Dakota.

Theunissen reviewed the Staff Report indicating this a transfer of an existing Conditional Use Permit for a Vacation Home Rental.

Staff recommended approval of the transfer of Conditional Use Permit / CU 16-18 with the following sixteen (16) conditions:

1. That the maximum overnight occupancy, based on SD DENR approval, continue to be limited to ten (10) people and the maximum daytime occupancy be limited to fifteen (15) people;
2. That the address for the residence (23773 Pine Haven Drive) continue to be posted at all times on the residence and at the driveway so that it is visible from both directions of travel on Pine Haven Drive in accordance with Pennington County's Ordinance #20;
3. That the minimum setback requirements of a Low Density Residential District continue to be continually maintained on the property;
4. That the subject property remains free of debris and junk vehicles;
5. 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;
6. That the applicant continue to provide a landline in case of an emergency;
7. That the Landowners continue to maintain current licenses 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 prior to operation of the Vacation Home Rental;
8. That the applicant continues to maintain 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;
9. That a minimum of five (5) off-street parking spaces continue to be provided on-site, each measuring a minimum of nine (9) feet by eighteen (18) feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;

10. That an interior informational sign continue to be posted in accordance with the requirements of Section 319-G, with 399-3721 and 394-4139 listed as contacts for the Fire Department and Sheriff's Department, during operating of the residence as a VHR;
11. That the applicant ensure the VHR continues to operate in accordance with the requirements of Section 319-F (Performance Standards) at all times;
12. That if the person designated as the Local Contact is ever changed from Richard and Susan Raposa, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified Mail;
13. 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;
14. That prior to the placement of any on-premise signs, the applicant obtain approval of a Sign Permit and such signs must meet all requirements of Section 312;
15. That each review of Conditional Use Permit / CU 16-18, be subject to Section 511(P), which imposes a \$100 fee per review; and,
16. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Board of Commissioners or the Pennington County Planning Commission to verify that all conditions are being met.

Discussion followed.

Moved by K. Jonson and seconded by C. Johnson to approve of the transfer of Conditional Use Permit / CU 16-18 with the following sixteen (16) conditions:

- 1. That the maximum overnight occupancy, based on SD DENR approval, continue to be limited to ten (10) people and the maximum daytime occupancy be limited to fifteen (15) people;**
- 2. That the address for the residence (23773 Pine Haven Drive) continue to be posted at all times on the residence and at the driveway so that it is visible from both directions of travel on Pine Haven Drive in accordance with Pennington County's Ordinance #20;**
- 3. That the minimum setback requirements of a Low Density Residential District continue to be continually maintained on the property;**
- 4. That the subject property remains free of debris and junk vehicles;**

5. 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;
6. That the applicant continue to provide a landline in case of an emergency;
7. That the Landowners continue to maintain current licenses 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 prior to operation of the Vacation Home Rental;
8. That the applicant continues to maintain 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;
9. That a minimum of five (5) off-street parking spaces continue to be provided on-site, each measuring a minimum of nine (9) feet by eighteen (18) feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
10. That an interior informational sign continue to be posted in accordance with the requirements of Section 319-G, with 399-3721 and 394-4139 listed as contacts for the Fire Department and Sheriff's Department, during operating of the residence as a VHR;
11. That the applicant ensure the VHR continues to operate in accordance with the requirements of Section 319-F (Performance Standards) at all times;
12. That if the person designated as the Local Contact is ever changed from Richard and Susan Raposa, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified Mail;
13. 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;
14. That prior to the placement of any on-premise signs, the applicant obtain approval of a Sign Permit and such signs must meet all requirements of Section 312;
16. That each review of Conditional Use Permit / CU 16-18, be subject to Section 511(P), which imposes a \$100 fee per review; and,
16. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Board of Commissioners or the Pennington County Planning Commission to verify that all conditions are being met.

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

13. CONDITIONAL USE PERMIT / CU 20-25: Jessica Hessler / 7 Wonders, LLC; Fisk Land Surveying – Agent. To allow an existing residence to be used as a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 1A of Lot C of NW1/4SE1/4, Section 31, T2N, R6E, BHM, Pennington County, South Dakota.

Jansen reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow an existing residence to be used as a Vacation Home Rental.

Staff recommended approval of Conditional Use Permit / CU 20-25 with the following fifteen (15) conditions:

1. That the maximum overnight occupancy, based on SD DENR approval, be limited to two (2) people and the maximum daytime occupancy be limited to four (4) people, per Pennington County Zoning Ordinance (PCZO) Section 319(F)(13);
2. That if an addition is constructed on the single-family residence and/or the on-site wastewater treatment system 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 DENR;
3. That the proper permits be obtained prior to utilizing a fire pit on the property and all fire restrictions be followed at all times;
4. That each review of Conditional Use Permit / CU 20-25, be subject to PCZO Section 511(P), which includes a \$100 fee per review;
5. That the applicant continually maintains current licenses 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 prior to operation of the Vacation Home Rental;
6. That the applicant 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;
7. That a minimum of one (1) off-street parking spaces be provided on-site, per PCZO Section 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;

8. That an interior informational sign be posted in accordance with the requirements of PCZO Section 319(G), with 9-1-1 and contact information listed for the local Fire Department and Sheriff's Office, during operation of the Vacation Home Rental;
9. That the lot address (22869 Norris Peak Road) continue to be posted on the residence at all times and that it also be posted on a sign where the driveway intersects Norris Peak Road, in accordance with Pennington County Ordinance #20;
10. That the applicant ensures the Vacation Home Rental is continually operated in accordance with the requirements of PCZO Section 319(F) (Performance Standards) at all times;
11. That if the person designated as the Local Contact is ever changed from Jade Tucker, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
12. 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;
13. That an approved Sign Permit be obtained prior to the placement of any sign(s);
14. That an approved Building Permit be obtained for any future 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; and,
15. 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 to include an additional condition in the Conditions of Approval.

Moved by C. Johnson and seconded Lasseter to approve of Conditional Use Permit / CU 20-25 with the following sixteen (16) conditions:

- 1. That the maximum overnight occupancy, based on SD DENR approval, be limited to two (2) people and the maximum daytime occupancy be limited to four (4) people, per Pennington County Zoning Ordinance (PCZO) Section 319(F)(13);**
- 2. That if an addition is constructed on the single-family residence and/or the on-site wastewater treatment system 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 DENR;**

3. That the proper permits be obtained prior to utilizing a fire pit on the property and all fire restrictions be followed at all times;
4. That each review of Conditional Use Permit / CU 20-25, be subject to PCZO Section 511(P), which includes a \$100 fee per review;
5. That the applicant continually maintains current licenses 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 prior to operation of the Vacation Home Rental;
6. That the applicant 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;
7. That a minimum of one (1) off-street parking spaces be provided on-site, per PCZO Section 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;
8. That an interior informational sign be posted in accordance with the requirements of PCZO Section 319(G), with 9-1-1 and contact information listed for the local Fire Department and Sheriff's Office, during operation of the Vacation Home Rental;
9. That the lot address (22869 Norris Peak Road) continue to be posted on the residence at all times and that it also be posted on a sign where the driveway intersects Norris Peak Road, in accordance with Pennington County Ordinance #20;
10. That the applicant ensures the Vacation Home Rental is continually operated in accordance with the requirements of PCZO Section 319(F) (Performance Standards) at all times;
11. That if the person designated as the Local Contact is ever changed from Jade Tucker, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
12. 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;
13. That an approved Sign Permit be obtained prior to the placement of any sign(s);
14. That an approved Building Permit be obtained for any future 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 rental rules and regulations state that there are no trailers allowed in the parking area and the individual(s) must park according to the parking site plan; and,**
16. **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.**

Roll Call: Marsh – no, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – no. Roll Call Vote: carried 4 to 2.

Commissioner Runde left the meeting at 10:37 a.m.

Commissioner Runde returned to the meeting at 10:39 a.m.

14. CONDITIONAL USE PERMIT / CU 20-26: Tanner and Kimberly Handcock. To allow a proposed shop building with living quarters to be used as a Guest House in a Limited Agriculture District in accordance with Sections 206, 318, and 510 of the Pennington County Zoning Ordinance.

S1/2N1/2W1/2 GL 7; S1/2W1/2 GL 7, Section 6, T1S, R16E, BHM, Pennington County, South Dakota.

Molitor reviewed the Staff Report indicating the applicant has applied for a Conditional Use Permit to allow a proposed shop building with living quarters to be used as a Guest House

Staff recommended approval of Conditional Use Permit / CU 20-26 with the following sixteen (16) conditions:

1. 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;
2. That a separate address be assigned for the Guest House;
3. That the addresses for the Guest House and the primary residence are clearly posted on each of the structures and at the driveway so that it is visible from Golf Course Road, in accordance with Pennington County’s Ordinance #20;
4. That the maximum finished square footage of the Guest House be 1,000 square feet or an approved Variance obtained;
5. That the minimum setback requirements of a Limited Agriculture District be continually maintained on the property or the appropriate Setback Variance(s) be obtained;

6. That the rental or lease of the Guest House or the use of the Guest House as a permanent residence for a second family on the premises shall be prohibited;
7. That the Guest House shall not be used for more than 180 days per calendar year;
8. That the primary dwelling be continually classified as owner-occupied and proof of status be provided to the Planning Department upon request, in accordance with PZCO Section 318 (B)(10);
9. That the Guest House be continually utilized and maintained in accordance with all requirements of Section 318;
10. That prior to any Building Permit for the Guest House being applied for, any On-site Wastewater Treatment System must be in compliance with PCZO Section 318 and Section 204 (J), and be approved by the Pennington County Environmental Planner;
11. That prior to the approval of living space within the detached shop building, the applicant file a deed restriction with the Register of Deeds stating the regulations applicable to the Guest House, including that the Guest House shall not be separately rented or leased from the main residence, in accordance with Pennington County Zoning Ordinance (PCZO) Section 318(B)(13);
12. That all natural drainage ways be maintained and free of obstruction;
13. That the existing approach is used or abandoned if the new approach is to be used;
14. That if the new approach is used, that it is approved by Pennington County Highway;
15. That the subject property remains free of debris and junk vehicles; and,
16. That this Conditional Use Permit be reviewed in one (1) year, 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.

Molitor further stated that staff is recommending to remove Conditions #13 and #14, as they are not needed since the applicant did obtain approval from the County Highway Department for the second approach.

Discussion followed.

Moved by Lasseter and seconded by K. Johnson to approve of Conditional Use Permit / CU 20-26 with the following fourteen (14) conditions:

- 1. 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;**

2. That a separate address be assigned for the Guest House;
3. That the addresses for the Guest House and the primary residence are clearly posted on each of the structures and at the driveway so that it is visible from Golf Course Road, in accordance with Pennington County's Ordinance #20;
4. That the maximum finished square footage of the Guest House be 1,000 square feet or an approved Variance obtained;
5. That the minimum setback requirements of a Limited Agriculture District be continually maintained on the property or the appropriate Setback Variance(s) be obtained;
6. That the rental or lease of the Guest House or the use of the Guest House as a permanent residence for a second family on the premises shall be prohibited;
7. That the Guest House shall not be used for more than 180 days per calendar year;
8. That the primary dwelling be continually classified as owner-occupied and proof of status be provided to the Planning Department upon request, in accordance with PZCO Section 318 (B)(10);
9. That the Guest House be continually utilized and maintained in accordance with all requirements of Section 318;
10. That prior to any Building Permit for the Guest House being applied for, any On-site Wastewater Treatment System must be in compliance with PCZO Section 318 and Section 204 (J), and be approved by the Pennington County Environmental Planner;
11. That prior to the approval of living space within the detached shop building, the applicant file a deed restriction with the Register of Deeds stating the regulations applicable to the Guest House, including that the Guest House shall not be separately rented or leased from the main residence, in accordance with Pennington County Zoning Ordinance (PCZO) Section 318(B)(13);
12. That all natural drainage ways be maintained and free of obstruction;
13. That the subject property remains free of debris and junk vehicles; and,
14. That this Conditional Use Permit be reviewed in one (1) year, 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.

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

15. CONDITIONAL USE PERMIT / CU 20-24: West River Solar, LLC. To allow for a utility-scale solar energy system in a General Agriculture District in accordance with Sections 205, 317, and 510 of the Pennington County Zoning Ordinance.

GL 2-4; SE1/4NW1/4; E1/2SW1/4; S1/2SE1/4 and N1/2SE1/4; S1/2NE1/4 of Section 31, T1N, R9E, BHM, Pennington County, South Dakota.

(Continued from the October 26, 2020, Planning Commission meeting.)

Theunissen reviewed the Staff Report indicating this item was continued from the October 26, 2020, Planning Commission meeting in order for the applicant to submit documentation to address bonding for the decommissioning of the solar modules.

Staff recommended approval of Conditional Use Permit / CU 20-24 with the following twenty-seven (27) conditions:

1. That Building Permits are obtained for all solar modules prior to construction;
2. That a security fence, measuring at least seven (7) feet in height, be installed and maintained around the project area;
3. That the address of all operational structures (i.e. O&M building) be posted in accordance with Ordinance #20 following completion of the structure;
4. That setbacks from the property lines and all utilities be maintained for all structures located on the property, or an approved Setback Variance(s) be obtained;
5. That an approved Approach Permit(s) be obtained from the approving Street Authority and that a copy of the approved Approach Permit be sent to the Pennington County Planning Director with a note identifying the Permit for CU 20-24;
6. That an approved Floodplain Development Permit is obtained prior to any disturbance or placement of structures designated Special Flood Hazard Areas;
7. That a Storm Water Permit is obtained to prior to any land disturbance;
8. That prior to construction, the applicant take steps to minimize prairie dog movement onto neighboring properties;
9. That the design of the solar energy system must conform to applicable local, state and national solar codes and standards at all times;
10. That a Conditional Use Permit is obtained for any temporary contractor's equipment storage yard prior to construction of all solar modules;
11. That no junk material, vehicles, or debris is stored on the site at any given time;

12. That any natural drainage ways and paths be continually maintained;
13. That all exterior lights must use hoods and lens that cast light downward;
14. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
15. The requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed;
16. That the Planning Department is provided with the safety/access information in case of an emergency;
17. That the proposed structure(s) maintain the 35-foot height requirement, with the exception of utility poles as exempted in Section 204(E) of the PCZO, or an approved Variance(s) be obtained;
18. That the solar panels be non-reflective and unobtrusive at all times;
19. That a Haul Road Agreement, if required, is in place with the County Highway Department prior to construction of the Project;
20. That any private access roads or portions of Sections Lines be constructed to Ordinance 14 standards or a request to waive these Standards be approved by the Board of Commissioners;
21. That prior to any work being done in a Section Line, an approved Road Construction in a Section Line be obtained;
22. That all design and installation work shall comply with all applicable provisions in the National Electric Code, International Building Code, the International Residential Code, International Commercial Building Code, and State Fire Code;
23. That no advertising signage shall be placed on any portion of the solar facilities;
24. That any on-site wastewater treatment system(s) are subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance;
25. That the solar facility, at no time, shall exceed 55 dBA as measured at the closest property line;
26. That a Letter of Credit or cash surety/bond in the amount of \$438,910 be submitted for the decommissioning of the solar modules. If a Letter of Credit is submitted, it be reviewed on a yearly basis; and,
27. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis or as directed by the Planning Commission.

Theunissen further stated Staff would like to amend Condition #26 to read: “That a cash surety or bond in the amount of \$438,910.00 be submitted for the decommissioning of the solar modules.”

Discussion followed.

Moved by C. Johnson and seconded by Coleman to continue Conditional Use Permit / CU 20-24.

Discussion followed.

Motion to continue withdrawn by C. Johnson and Coleman.

Discussion further followed.

Moved by C. Johnson and seconded by Lasseter to approve of Conditional Use Permit / CU 20-24 with the following twenty-seven (27) conditions:

- 1. That Building Permits are obtained for all solar modules prior to construction;**
- 2. That a security fence, measuring at least seven (7) feet in height, be installed and maintained around the project area;**
- 3. That the address of all operational structures (i.e. O&M building) be posted in accordance with Ordinance #20 following completion of the structure;**
- 4. That setbacks from the property lines and all utilities be maintained for all structures located on the property, or an approved Setback Variance(s) be obtained;**
- 5. That an approved Approach Permit(s) be obtained from the approving Street Authority and that a copy of the approved Approach Permit be sent to the Pennington County Planning Director with a note identifying the Permit for CU 20-24;**
- 6. That an approved Floodplain Development Permit is obtained prior to any disturbance or placement of structures designated Special Flood Hazard Areas;**
- 7. That a Storm Water Permit is obtained to prior to any land disturbance;**
- 8. That prior to construction, the applicant take steps to minimize prairie dog movement onto neighboring properties;**
- 9. That the design of the solar energy system must conform to applicable local, state and national solar codes and standards at all times;**

10. That a Conditional Use Permit is obtained for any temporary contractor's equipment storage yard prior to construction of all solar modules;
11. That no junk material, vehicles, or debris is stored on the site at any given time;
12. That any natural drainage ways and paths be continually maintained;
13. That all exterior lights must use hoods and lens that cast light downward;
14. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
15. The requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual shall be followed;
16. That the Planning Department is provided with the safety/access information in case of an emergency;
17. That the proposed structure(s) maintain the 35-foot height requirement, with the exception of utility poles as exempted in Section 204(E) of the PCZO, or an approved Variance(s) be obtained;
18. That the solar panels be non-reflective and unobtrusive at all times;
19. That a Haul Road Agreement, if required, is in place with the County Highway Department prior to construction of the Project;
20. That any private access roads or portions of Sections Lines be constructed to Ordinance 14 standards or a request to waive these Standards be approved by the Board of Commissioners;
21. That prior to any work being done in a Section Line, an approved Road Construction in a Section Line be obtained;
22. That all design and installation work shall comply with all applicable provisions in the National Electric Code, International Building Code, the International Residential Code, International Commercial Building Code, and State Fire Code;
23. That no advertising signage shall be placed on any portion of the solar facilities;
24. That any on-site wastewater treatment system(s) are subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance;
25. That the solar facility, at no time, shall exceed 55 dBA as measured at the closest property line;

26. That a cash surety or bond in the amount of \$1,400,000.00 be submitted for the decommissioning of the solar modules; and,
27. That this Conditional Use Permit be reviewed in one (1) year, on a complaint basis or as directed by the Planning Commission.

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

16. DISCUSSION AND POSSIBLE MOTION TO FORM A COMMITTEE TO ADDRESS INFRASTRUCTURE AND ROAD IMPROVEMENTS IN THE COUNTY.

Molitor discussed and recommended an advisory committee be formed to address infrastructure and road improvements in Pennington County.

Discussion followed.

Moved by K. Johnson and seconded by C. Johnson to make a recommendation to form an Advisory Committee to address infrastructure and road improvements in the County.

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

17. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the October 26, 2020, Planning Commission meeting.

18. ITEMS FROM THE PUBLIC

No motions or actions were taken at this time.

19. ITEMS FROM THE STAFF

A. Building Permit Report. Molitor reviewed the Building Permit Report for October 2020.

20. ITEMS FROM THE MEMBERSHIP

Chairman Marsh stated he will not be at the November 23rd meeting. Commissioner Lasseter also stated he may not be at the November 23rd meeting.

21. ADJOURNMENT

Moved by Lasseter and seconded by K. Johnson to adjourn.

Roll Call: Marsh – aye, Lasseter - aye, C. Johnson – aye, K. Johnson – aye, Runde – aye, and Coleman – aye. Roll Call Vote: carried 6 to 0.

The meeting adjourned at 11:40 a.m.

Rich Marsh, Chairperson