

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
APRIL 19, 2022
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**



*Gary Drewes, Chair, District 5
Lloyd LaCroix, Vice Chair, District 2*

*Ron Rossknecht, District 1
Deb Hadcock, District 3
Travis Lasseter, District 4*

Agenda disclaimer: The preferred practice of the Board is to proceed thru the agenda in the order it is published. From time to time, agenda items may be disposed of quickly leaving a gap in the meeting agenda prior to the next advertised agenda item start time. To utilize time effectively in those circumstances, the Board may move items up on the agenda to fill those gaps.

*Welcome to the April 19th, 2022 Board of Commissioners Meeting.
Please silence cell phones, pagers and other electronic communication devices.
Agendas are located at the back of the Chambers.*

1. Call to Order
2. Moment of Silent Reflection
3. Pledge of Allegiance
4. Review and Approve Agenda

The Board of Commissioners uses a **Consent Agenda** to act on non-controversial and routine items. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or a Citizen. The consent agenda contains the following items:

5. Minutes of the regular meeting – April 5, 2022
6. To acknowledge the filing of petitions signed by 25% of the eligible voters in the area to be annexed and 25% of the eligible voters in the existing district, and the resolution approving the annexation request by the road district, and to set an election date on the question of annexation to the Murphy Ranch Road District not more than 60 days from this date. The election is to be held May 3, 2022 (*AUD*)
7. To accept the recommendation for the appointment of Tara Flanery, Jessica Ginger, Jordan Hirschfeld, Laura Jones, Desyl Peterson, Christopher Quail, Kathy Skorzewski to the Vacation Home Rental Ordinance Committee (*COM*)
8. To acknowledge disinterment permit #1456094 (*COM*)
9. Approval of the 2nd QTR 2022 Local Emergency Management Planning Grant (*EM*)
10. To approve Utilities Certificate P 6403(10) PCN 08P3 – South Rochford Road Reconstruction (*HWY*)
11. Recognize and thank the volunteers for the month of March 2022 (*HR*)(*Fire Admin*)

End of Consent Agenda

Regular Agenda Items:

12. Pennington County Planning Commission Appointments – Mr. Kevin Kuehn and Mr. Kevin Burton

Pennington County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and need accommodations, please notify the Commissioners' Office at (605) 394-2171 at least 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.



Scan the code to access the agenda packet online.

13. Coronavirus State and Local Fiscal Recovery Funds (ARPA)
 - Box Elder Clean Water Priorities Request (*Cont. from the 4/5/22 BOC mtg*)
 - Rapid Valley Sanitary District – Water System Expansion Request (*Cont. from the 4/5/22 BOC mtg*)
 - Designation of ARPA funds for addiction treatment, mental health, administration of social services and public benefits (*AUD*) (*Cont. from the 4/5/22 BOC mtg*)

14. Items From Auditor

Liquor License Public Hearings:

 - a. Transfer of Retail (on-off sale) Malt Beverage & SD Farm Wine License – Moonshine Gulch Saloon, LLC
 - b. New Retail (on-off sale) Wine & Cider & New Retail (on-sale) Liquor with Sunday Sales License – Moonshine Gulch Saloon, LLC

15. Items From Buildings & Grounds
 - a. Building Committee Project Recommendation:
States Attorney Office Remodel, Project & Funding Authorization

16. Items From Emergency Services
 - a. Position Rating Adjustments – 911/ESCC Dispatcher Positions

17. Items From Equalization
 - a. Abatement Applications – Tax Year 2021
 1. Steve Moore, Parcel# 41783, \$1,138.52

18. Items From Highway Department
 - a. Black Hills National Forest Service Challenge Cost Share Agreement - South Rochford Road Right-Of-Way Fencing
 - b. Construction Staking Agreement – South Rochford Road Reconstruction
 - c. Construction Administration Agreement - Bridge Improvement Grant Preservation Projects
 - d. Authorization to pursue purchase of a new Brush Chipper

19. Items From Human Resources
 - a. New Position Title Request – Office Lead (Register of Deeds)
 - b. Position Rating Adjustment – Caseworker (Public Defender)
 - c. Emergency Personal Leave Policy Correction
 - d. Updated Retention Bonus Request
 - e. Compensation Presentation – Part 2
 - f. 2023 Wage Scale Selection & Implementation Process

20. Items From Natural Resources
 - a. Request to increase Seasonal Staff Positions Starting Wage

21. Items From Public

(A time for the members of the public to discuss or express concerns to the Board of Commissioners on policies and issues affecting County government and its function. Action will not be taken during this item on any issues brought forth that are not properly noticed.)

22. Items From Planning & Zoning – 10:30 a.m.

BOARD OF ADJUSTMENT HEARING(S):

- a. Appeal of Building Permit / COBP21-0652: Tina Bechly; Owner – Lex Burger
(*Cont. from the 4/5/22 BOC mtg*)
- b. Variance / VA 22-03: SDN Communications; Steve Angerhofer – Agent (*Cont. from the 4/5/22 BOC mtg*)
- c. Variance / VA 22-05: Shane and Kimberly Geidel

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- d. Minor Plat / MPL 22-09: Michael and Joslyn Sullivan. To subdivide and create Tracts 4A and 4B, A Subdivision of Tract Four (4) of Schacher Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- e. Preliminary Plat / PPL 22-11: ELS Properties LLC; Rick Schulke. To subdivide and create Lots 3A, 3B, 3C, 3D, and 3E of Battle Creek Mountain Estates Subdivision in accordance with Section 400.2 of the Pennington County Subdivision Regulations (*Approval Recommended*)

End of Consent Agenda

Regular Agenda Items:

UNCONTESTED HEARING(S):

- f. Public Hearing of Comprehensive Plan Amendment / CA 22-03: Tiffany Wolla. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance (*Planning Commission recommended approval of Comprehensive Plan Amendment / CA 22-03*)
- g. Public Hearing of Rezone / RZ 22-03: Tiffany Wolla. To rezone 5.03 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance (*Planning Commission recommended approval of Rezone / RZ 22-03*)
- h. Public Hearing of Comprehensive Plan Amendment / CA 22-05: Black Hills Tiny Resort, LLC (Joleen Zoller); KTM Design Solutions - Agent. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District and Highway Service District to Highway Service District in accordance with Sections 205, 212, and 508 of the Pennington County Zoning Ordinance (*Planning Commission recommended approval of Comprehensive Plan Amendment / CA 22-05*)
- i. Public Hearing of Rezone / RZ 22-05: Black Hills Tiny Resort, LLC (Joleen Zoller); KTM Design Solutions - Agent. To rezone 13.79 acres from Agriculture District and Highway Service District to Highway Service District in accordance with Sections 205, 212, and 508 of the Pennington County Zoning Ordinance (*Planning Commission recommended approval of Rezone / RZ 22-05*)

CONTESTED HEARING(S):

- j. Road Construction Within a Section Line Right-Of-Way / CS 22-03: Site Work Specialists
 - k. Road Construction Within a Section Line Right-Of-Way / CS 22-04: Site Work Specialists
 - l. Vacation of Section Line Right-Of-Way / VS 22-03 by Resolution: Slate Creek Partners, LLC. (*Cont. from the 4/5/22 BOC mtg*)
 - m. Public Hearing of Ordinance Amendment / OA 22-02: Pennington County. To amend Section 303 “Multiple-Family Dwellings” [to amend and supersede the existing Section 303 “Multiple-Family Dwellings”] of the Pennington County Zoning Ordinance (*Cont. from the 4/5/22 BOC mtg*)
 - n. Public Hearing of Ordinance Amendment / OA 22-03: Pennington County. To amend Section 103 “Definitions” [to amend and supersede the existing Section 103 “Definitions”] of the Pennington County Zoning Ordinance.
 - o. Public Hearing of Comprehensive Plan Amendment / CA 22-04: Black Hills Industrial Center, LLC; KTM Design Solutions - Agent
 - p. Public Hearing of Rezone / RZ 22-04: Black Hills Industrial Center, LLC; KTM Design Solutions - Agent
 - q. Tax Increment Finance District #6 – Apple Valley Affordable Housing Development: Tax Increment Finance District (TIF) by Pink Cabin, LLC for the Apple Valley Affordable Housing Development
 - Resolution approving the Contract for Private Development Tax Increment Financing District Number Six, County of Pennington
23. Items From Commission Manager
- a. Public Comment Period Policy & Procedure
 - b. Recording of Public Meeting Policy and Procedure Update
 - c. Petition Circulator Policy Update
 - d. Reschedule 2023 Budget Hearings
24. Items From Chair/Commission Members
(A time for individual members to bring forth ideas or concerns to the full Board. Official action will not be taken on any items brought forth at this time. Direction may be given to bring items back before the Board for future consideration.)
25. Committee Reports – Scheduled meetings by Commissioner
- TL – EM Users Board, RC Library Board of Trustees
 - LL – ESCC/911 Users Board
 - GD – MPO Executive Policy Committee
 - RR – Planning Commission
 - DH – Weed & Pest Board, Fire Service Board
 - ALL – Board of Equalization Hearings
26. Approval of the Vouchers - \$2,731,418.89
27. Executive Session per SDCL 1-25-2
- a. Personnel Issue per SDCL 1-25-2(1)
 - Annual Department Head Evaluation(s)
 - b. Contractual/Pending Litigation per SDCL 1-25-2(3)
28. Adjourn