

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
DECEMBER 6, 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 December 6, 2022 Board of Commissioners Meeting.
Please silence cell phones, pagers and other electronic communication devices.
Agendas and speaker request forms 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 special meeting – November 10, 2022
6. Minutes of the regular meeting – November 15, 2022
7. To acknowledge the notice of intent to conduct a raffle – Black Hills Studios of the Arts (COM)
8. To acknowledge the notice of intent to conduct a raffle – Fraternal Order of Police Lodge #2 (COM)
9. To acknowledge the notice of intent to conduct a raffle – Naja Shriners (COM)
10. Approval of the 2023 Memorandum of Understanding between SDSU Extension and Pennington County (EXT)
11. To approve the 2023 Scenic Township Maintenance and Snow Removal Agreement (HWY)
12. Move to reappoint Thomas Vallette and Lee Borries as Pennington County Veterans Service Officers through the first Monday in January 2027 per SDCL 33A-1-22. (HS)
13. To declare surplus for the purpose of sale, one Glock 43, Serial number BHYK533 (SO)
14. To declare as surplus for the purpose of disposal outdated and inoperable equipment as submitted (SO)

End of Consent Agenda

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.

Regular Agenda Items:

15. Executive Session per SDCL 1-25-2
 - a. Contractual/Pending Litigation per SDCL 1-25-2(3)
16. Proposed changes to South Dakota Election Laws - Draft letter (*Cont. from 11/15/22 BOC mtg*)(*Commissioner Lasseter*)
17. Items From Auditor
 - a. Coronavirus State and Local Fiscal Recovery Funds (ARPA)
 - b. Operating Transfer – Accumulated Building Fund
 - c. Renewal of Retail (On-Sale) Liquor with Sunday Sales – Sweet Grass Inn / Shipwrecks Bar & Grill
18. Items From Buildings & Grounds
 - a. Request for Proposals for Design Services (900 Concourse Drive) – Interior Remodel for New Administrative Offices
19. Items from Compensation Committee
 - a. Recommendation – 3.18 Compensation Administration Policy
 - b. Recommendation – 4.2 Holidays Policy
20. Items From Emergency Management
 - a. FEMA BRIC Grant Application on behalf of West River Electric
 - b. Pre-Disaster Mitigation Plan Update – Contract with Black Hills Council of Local Governments
21. Items From Equalization
 - a. Abatement Application(s)
 1. Finick, Parcel# 8008429, \$10.90
 2. Bredbeg, Parcel# 46726, \$17.74
22. Items From Fire Administrator
 - a. Silver City Volunteer Fire Department Donation Agreement
23. Items From Highway Department
 - a. Pavement Condition Index Overview by Roadway Asset Services, LLC
 - b. Resolution 2022-12-06-1 BIG Grant Program Applications
 - c. Sheridan Lake Road Affidavit of Extinguishment
 - d. Resolution 2022-12-06-2 Establish Criteria to Award Rural Access Infrastructure Funding
 - e. Professional Services Agreement - Sherman Street Bridge

24. North Haines Avenue Road Update & Other City/County Jurisdictional Boundaries
(Cont. from 11/15/22 BOC mtg) (Commissioner LaCroix)
25. Western Pennington Flood Management District (Drainage Commission) – Future of the Commission
26. Items From Public (Speaker request form is required)
(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. Speakers under this item will be recorded in the minutes by name and area of interest.)
27. Items From Planning & Zoning – 10:30 a.m.
BOARD OF ADJUSTMENT HEARING(S):
 - a. Variance / VA 22-23: Lesley Rutter. To allow more than 40 dwellings on a dead-end road system.
 - b. Variance / VA 22-25: Argyle Properties, LLC; Anita Lee. To reduce the setback to the Section Line for an existing structure.
 - c. Subdivision Regulations Variance / SV 22-10: Joy Jojola and Traci Mescher. To waive the requirement to construct additional water storage for domestic use and fire protection on the subject property.
 - d. Subdivision Regulations Variance / SV 22-11: Brian Schroeder; Davis Engineering – Agent. To exceed more than 40 units on a dead-end road system in an Agriculture District.

Regular Agenda Items:

CONTESTED HEARING(S):

- e. Vacation of Easement / VE 22-03: Bryon and Kristin Mobley. To vacate an Access and Utility Easement on the subject property. (*Planning Commission recommended approval of Vacation of Easement / VE 22-03 with one (1) condition*)
- f. Public Hearing of Comprehensive Plan Amendment / CA 22-22: Lesley Rutter. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District to Ranchette District. (*Planning Commission recommended denial without prejudice of Comprehensive Plan Amendment / CA 22-22*)
- g. Public Hearing of Rezone / RZ 22-29: Lesley Rutter. To rezone 5.00 acres from Agriculture District to Ranchette District. (*Planning Commission recommended denial without prejudice of Rezone / RZ 22-29*)
- h. Public Hearing of Rezone / RZ 22-30: Quintin Larson. To rezone 5.00 acres from Agriculture District to Ranchette District. (*Planning Commission recommended approval of Rezone / RZ 22-30*)
- i. Public Hearing of Ordinance Amendment / OA 22-12: Pennington County. To amend Section 511 “Fees” [to amend and supersede the existing 511 “Fees”] of the Pennington County Zoning Ordinance (*Planning Commission recommended approval of Ordinance Amendment / OA 22-12*)
- j. Public Hearing of Comprehensive Plan Amendment / CA 22-21: Argyle Properties, LLC; Anita Lee. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District and Rural Residential District to Rural Residential District. (*Planning Commission recommended denial of Comprehensive Plan Amendment / CA 22- 21*)

- k. Public Hearing of Rezone / RZ 22-28: Argyle Properties, LLC; Anita Lee. To rezone 13.55 acres from Agriculture District to Rural Residential District. *(Planning Commission recommended denial of Rezone / RZ 22-28)*

28. 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.)

29. Committee Reports – Scheduled meetings by Commissioner

TL – Healthcare Trust Board, LEPC, Community Health Center Board
LL – Community Health Center Board, Extension Advisory, Drainage Commission
GD – Planning Commission, Western Dakota Regional Water System Conference
RR – Elevate, PC Housing & Redevelopment
DH – PC Housing & Redevelopment, Drainage Commission, Care Campus Advisory Board, Compensation Committee, Fire Service Board
ALL – Courthouse Centennial Celebration, Wall Economic Development Corporation Annual Meeting, SDDOT HWY 16/ Neck Yoke Road Open House, Hill City Christmas Parade, RC Festival of Lights Parade, BHACC-O District Meeting

30. Approval of the Vouchers - \$7,148,403.86

31. Executive Session per SDCL 1-25-2

- a. Personnel Issue per SDCL 1-25-2(1)
- b. Contractual/Pending Litigation per SDCL 1-25-2(3)

32. Adjourn