

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
FEBRUARY 1, 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 February 1st, 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 – January 4, 2022
6. To authorize the chair’s signature to the Order for Organization and Incorporation for the Mills Ranch Road District, with the following legal description: Lot A-J Inclusive of Mills Ranch Subdivision BHM, Pennington County, South Dakota (AUD)
7. Acknowledge the Determination of Delinquent Real Estate Taxes for the 2020 taxes payable in 2021 for the following funds: General \$49,429.07; Accumulated Building \$7,281.07; Fair \$238.86; Library \$1,206.41; Fire \$551.56; Unorganized Road \$6,498.31 (AUD)
8. Approval of the Resolution to Discharge County Aid Liens with no Activity for 30 Years (AUD)
9. Approval of the Resolution to Discharge County Liens of Deceased Persons (AUD)
10. To acknowledge the resignation of Ms. Sandra Runde from the Planning Commission effective January 6, 2022 (COM)
11. Approval of the 1st QTR 2022 Local Emergency Management Planning Grant (EM)
12. Approval of the updated First Amendment to South Dakota Internet Crimes Against Children Task Force Joint Powers Agreement between the South Dakota Office of the Attorney General Division of Criminal Investigations, the County of Pennington, the Pennington County Sheriff’s Office, and other “Participating Law Enforcement Agencies” as outlined in the agreement (SO)

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. To declare a Survival Armor ballistic vest, model FULW-III A Paladin 2016/1815, serial #2003311657 with extra carrier as surplus for the purpose of sale (SO)
 14. Recognize and thank the volunteers for the month of December 2021 (HR)(Fire Admin)
- End of Consent Agenda**

Regular Agenda Items:

15. Request to purchase tax deed property located at 684 N. Spruce Street, Rapid City
- Ms. Amanda Ruiz
16. Items From Auditor
 - a. **9:15 a.m. Public Hearing:** Budget Supplement SP22-001 Resolution: General Fund Unassigned – Sheriff’s Office Law Enforcement Budget
 - b. Decennial Revision of Pennington County, SD, Commissioner Districts and Public Comments on Proposed Maps
17. Items From Buildings & Grounds
 - a. Crisis Stabilization Project - JCI Controls Contract
18. Items From Emergency Management
 - a. COVID-19 Update
– Any and all other business related to the COVID-19 virus
19. Items From Equalization
 - a. Abatement Applications
 1. Richard G Brooks, Parcel #67394, \$30.01
 2. Mysti B Wenzel, Parcel #64783, \$242.47
 3. Wayne E Anderson, Parcel #59024, \$5,305.00
 4. Gene A Rossman, Parcel #8078, \$1,765.88
 5. Misty R Ghost, Parcel #801053, \$113.78
 6. (Rapid City Area School District) Leo Hamm Family Ranch LLC, Parcel #58546, \$6.42
 7. (Rapid City Area School District) Leo Hamm Family Ranch LLC, Parcel #59053, \$30.26
 8. Ellsworth Development Authority, Parcel #6106, \$420.34
 9. Jeffery Dewberry Sr., Parcel #8002789, \$146.42
 10. Lavern Terkildsen, Parcel #39094, \$58.00
20. Items From Highway Department
 - a. Right-Of-Way Certificate – Thunderhead Falls Road Bridge
 - b. Utilities Certificate – Nemo Road Horizontal Curve
 - c. Right-Of-Way and Utilities Certificates – Norris Peak Road Curve
 - d. Authorization to Advertise and Let 2022 Annual Construction Projects
 - e. Authorization to Advertise and Let 2022 Annual Supplies and Materials
 - f. Award Recommendation BR 2022-1 Bridge Replacement (Sonquist Lane)
 - g. Amendment #1 to Agreement 614637 (Nemo Road and Norris Peak Road Safety Project)

21. Items From Human Resources

- a. Updated DBM for Chief Deputy Treasurer
- b. New Drug-Free Workplace Policy
- c. Proposed Correction Method for Employees Not Eligible for 2022 Annual Step Increase

22. 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.)

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

BOARD OF ADJUSTMENT HEARING(S):

- a. Variance / VA 21-37: Michael and Angela Holmberg; Renner Associates – Agent
- b. Subdivision Regulations Variance / SV 21-30: Laura Henney and Erik Karlson; KTM Design Solutions – Agent
- c. Subdivision Regulations Variance / SV 21-31: Laura Henney and Erik Karlson; KTM Design Solutions - Agent

The Board of Commissioners uses a Consent Agenda to act on non-controversial and routine Planning and Zoning 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 for Planning and Zoning contains the following items:

CONSENT AGENDA:

- d. Layout Plan / LPL 21-79: Marjorie Helgeson Trustee / Davis Engineering. To reconfigure lot lines to create Lot 3 Revised of SE1/4SW1/4, NE1/4NW1/4 (also in Section 10) in accordance with Section 400.1 of the Pennington County Subdivision Regulations (*Cont. from the 12/21/21 BOC mtg*)
(*Planning Commission recommended approval of Layout Plan / LPL 21-79 with ten (10) conditions*)
- e. Layout Plan / LPL 21-89: Diamond Spur Lodge, LLC; Andy Edsen. To combine three lots to create Lot 9R of The Forks at Remmington Ranch in accordance with Section 400.1 of the Pennington County Subdivision Regulations (*Planning Commission recommended approval of Layout Plan / LPL 21-89 with ten (10) conditions*)
- f. Minor Plat / MPL 21-90: Southern Black Hills Water Systems. To subdivide and create Lot JR and Lot W of Phase 3 of Rushmore Ranch Estates Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations (*Planning Commission recommended approval of Minor Plat / MPL 21-90 with seven (7) conditions*)
- g. Minor Plat / MPL 21-92: Laura Henney and Erik Karlson; KTM Design Solutions- Agent. To combine two lots to create Lot 13R in Block A of Edelweiss Mountain Development in accordance with Section 400.3 of the Pennington County Subdivision Regulations (*Planning Commission recommended approval of Minor Plat / MPL 21-92 with six (6) conditions*)

End of Consent Agenda

Regular Agenda Items:

UNCONTESTED HEARING(S):

- h. To Consider Motion to Amend Preliminary Plat / PPL 21-56 – Approval Adopted on September 21, 2021: Casey Skyberg / Sudbury Ranch Land Holding, LLC. To subdivide and create Lots 2R and Lots 3 through Lot 11 of Sudbury Ranch Subdivision in accordance with Section 400.2 of the Pennington Subdivision Regulations. *(Board of Commissioners approved Preliminary Plat / PPL 21-56 with nineteen (19) conditions)*
- i. Public Hearing of Major Planned Unit Development Amendment / PU 21-19: Quality Five, LLC (Robins Roost Cabins); Matt and Beth Kenaston. To amend an existing Planned Unit Development to allow for seasonal and long-term rentals, motel unit(s), multi-family unit(s) for seasonal and long-term rental, Vacation Home Rental(s), caretaker's/ manager's residence, and accessory structures in accordance with Section 216 of the Pennington County Zoning Ordinance *(Planning Commission recommended approval of Major Planned Unit Development Amendment / PU 21-19 with nineteen (19) conditions)*
- j. Public Hearing of Rezone / RZ 21-32: Michael and Angela Holmberg; Renner Associates - Agent. To rezone 1.00 acre from Agriculture District to Low Density Residential District in accordance with Sections 205, 208, and 508 of the Pennington Zoning Ordinance *(Planning Commission recommended approval of Rezone / RZ 21-32)*
- k. Vacation of Right-Of-Way / VR 21-01: Elbert and Marian Johnson. To vacate 170 feet of public right-of-way adjoining Lot H of Lot 1 and Lot 1 of Lot 1 of Boland Placer Subdivision in accordance with the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Vacation of Right-of-Way / VR 21-01 with one (1) condition)*
- l. Public Hearing of Planned Unit Development Overlay / PU 21-21: American Buffalo Resort, LLC; Peter Sorensen - Agent. To allow a Planned Unit Development Overlay to allow a Recreational Resort in accordance with Section 216 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Planned Unit Development Overlay / PU 21-21 with twenty-four (24) conditions)*

CONTESTED HEARING(S):

- m. Vacation of Section Line Right-Of-Way / VS 21-02: City of Rapid City. To vacate 1,251.51 feet of Section Line Right-of-Way lying across Sections 24 and 25, T1N, R8E, BHM, Pennington County, South Dakota *(Cont. from 5/18/21 BOC mtg)*
- n. Public Hearing of Planned Unit Development Overlay / PU 21-20: Chace and Leslie Larsen. To allow a Planned Unit Development Overlay to allow a Specialty Resort to include five rental cabins, a shop building, an office/laundry facility, and the existing single-family residence to be used as the caretaker's/manager's residence in accordance with Section 216 of the Pennington County Zoning Ordinance
- o. Public Hearing of Comprehensive Plan Amendment / CA 21-15: Paul and Cathleen Cox. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington County Zoning Ordinance

- p. Public Hearing of Rezone / RZ 21-33: Paul and Cathleen Cox. To rezone 3.00 acres from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington Zoning Ordinance
- q. Request to refund Penalty Fee: Curt and Denise Neukircher
- r. Public Hearing of Comprehensive Plan Amendment / CA 21-16: Valley Development, LLC. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District and Low Density Residential District to Urban Residential District in accordance with Sections 205, 208, 210, and 508 of the Pennington County Zoning Ordinance
- s. Public Hearing of Rezone / RZ 21-34: Valley Development, LLC. To rezone 107.11 acres +/- from Agriculture District to Urban Residential District in accordance with Sections 205, 210, and 508 of the Pennington County Zoning Ordinance
- t. Public Hearing of Rezone / RZ 21-35: Valley Development, LLC. To rezone 8.522 acres +/- from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance

24. 2022 Legislative Session

- a. Update on proposed bills/session activity
 - 1. Any other legislation as deemed necessary

25. Items from Commission Manager

- a. Proposed Workshop Regarding Housing and Development
- b. 2022 Planning Workshops

26. 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.)

- a. Black Hills Stock Show Update

27. Committee Reports – Scheduled meetings by Commissioner

- a. 2022 Commission Liaison Assignments

TL – EM Users Board, ESCC/911 Users Board, Planning Commission, RC Public Library, Healthcare Trust Board, Elevate Rapid City Board, Community Health

LL – TIF Committee, Extension Advisory Board, Community Health

GD – Central States Fair Board, Department Head, BH Council on Local Governments

RR – TIF Committee, Building Committee, PC Housing & Redevelopment, BH Council on Local Governments

DH – Building Committee, Fire Service Board, PC Housing & Redevelopment

ALL – Black Hills Stock Show Ribbon Cutting, Legislative Crackerbarrel

28. Approval of the Vouchers

- a. Jan 18, 2022 = \$4,668,027.33
- b. Feb 1, 2022 = \$1,214,799.82

29. 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)

30. Adjourn