

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
JANUARY 18, 2022
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**

***REVISED**



*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 January 18th, 2022 Board of Commissioners Meeting.
Please silence all 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 1st QTR 2022 Local Emergency Management Planning Grant (EM)
9. 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)
- *10. 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)
11. Recognize and thank the volunteers for the month of December 2021 (HR)(Fire Admin)

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:

12. Black Hills Stock Show Opening – Mr. Ron Jeffries, General Manager
13. 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
14. 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
15. Items From Highway Department
 - a. Right-Of-Way Certificate – Thunderhead Falls Road Bridge
 - b. Utilities Certificate – Nemo Road Horizontal Curve
16. 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
17. 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.)
18. 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

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:

- b. 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 (*Approval Recommended*)(*Cont. from the 1/4/22 BOC mtg*)
- c. Layout Plan / LPL 21-89: Diamond Spur Lodge, LLC; Andy Edsen. To combine three lots to create Lot 9R of The Forks at Remington Ranch in accordance with Section 400.1 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- d. 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 (*Approval Recommended*)

End of Consent Agenda

Regular Agenda Items:

UNCONTESTED HEARING(S):

- e. 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*)
- f. 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*)

CONTESTED HEARING(S):

- g. 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*)
- h. 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

- i. 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
- j. 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
- k. 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
- l. 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
- m. 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
- n. Ordinance Amendment / OA 21-22: Pennington County. To add Section 330 “Efficiency Dwellings” to the Pennington County Zoning Ordinance
- o. Ordinance Amendment / OA 21-23: Pennington County. To amend Section 205-A “Agriculture District” of the Pennington County Zoning Ordinance
- p. Ordinance Amendment / OA 21-24: Pennington County. To amend Section 210-A “Urban Residential District” of the Pennington County Zoning Ordinance
- q. Ordinance Amendment / OA 21-25: Pennington County. To amend the Subdivision Regulations of the Pennington County Subdivision Regulations Ordinance
- r. Request to refund Penalty Fee: Curt and Denise Neukircher

19. 2022 Legislative Session

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

20. Items from Commission Manager

- a. Proposed Workshop Regarding Housing and Development

21. 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.)

22. Committee Reports – Scheduled meetings by Commissioner

- a. 2022 Commission Liaison Assignments

TL – EM Users Board, ESCC/911 Users Board, Planning Commission

LL – TIF Committee

GD – Central States Fair Board, Department Head meeting

RR – TIF Committee, Building Committee

DH – Building Committee, Fire Service Board

23. Approval of the Vouchers - \$4,668,027.33
24. 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)
25. Adjourn