

**PENNINGTON COUNTY BOARD OF COMMISSIONERS  
PROPOSED MEETING AGENDA  
JUNE 10, 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 June 10<sup>th</sup>, 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
5. Recognition of New Employees

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:

6. Minutes of the regular meeting – May 17, 2022
7. Minutes of the special meeting – May 25, 2022
8. To acknowledge the Resolution for a minor adjustment to road district boundaries of the National Guard Road District in total described as: Twin Oaks Sub: Block 2; Lot 10, BHM, Pennington County (*AUD*)
9. To declare the asset #005923, Lazer Z Advantage Mower, VIN # 879998 surplus for the purpose of trade-in as part of purchase of a new mower (*B&G*)
10. To acknowledge the notice of intent to conduct bingo – Rochford Community Hall (*COM*)
11. To acknowledge the notice of intent to conduct a raffle – Rochford Chapel (*COM*)
12. To reappoint Ms. Karen McGregor to the Planning Commission for a term of three (3) years effective July 1<sup>st</sup>, 2022 (*COM*)
13. Move to declare surplus Tax Deed Property #65319 for the purpose of donation and transfer to the United States Department of Agriculture (Black Hills National Forest) as allowed pursuant to SDCL § 7-29-16 (*COM*)
14. To declare surplus for the purpose of trade, two 2011 John Deere 772GP motor graders, Serial Numbers DW772GPKA0633146 and 1DW772GPCA0633045, asset #005951 and #005952 (*HWY*)

**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. Items From Auditor**

- a. Canvass of Primary Election Results
- b. \*Request for Special On-Sale License – Healing the Culture

**16. Items From Buildings & Grounds**

- a. Crisis Stabilization Facility - Furniture, Fixtures & Equipment (FF&E) Procurement

**17. Items From Fire Administrator**

- a. Update - Wildland Fire Fuels Treatment at Mt. Rushmore

**18. Items From Highway Department**

- a. Modification #3 to Forest Service Agreement (Sheridan Lake Road fencing)
- b. Authorization to Purchase Bulk Diesel and Gas Products
- c. Authorization to Purchase two (2) new Motor Graders
- d. Award Recommendation 2022 Bridge Preservation Projects
- e. Authorization to Advertise and Let BIG Reconstruction Projects
- f. Second Reading and Public Hearing of Ordinance 14 Amendment - Criteria for constructing and accepting roads and approaches onto the County Highway System and the County Secondary Highways, hereinafter referred to as “County Roads”

**19. Items From Commission Manager**

- a. Proposed resolutions for BH Association of County Commissioners (BHACC) / SD Association of County Commissioners (SDACC)

**20. 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. Request for Proposal – 2025 Western Interstate Region / National Association of Counties (NACo) Conference Sponsorship  
(*Commissioner LaCroix*)

**21. Approval of the Vouchers - \$751,226.59**

**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 22-09: Tube Air Racing, LLC / Larry Teuber; Renner Associates – Agent
- b. Variance / VA 22-10: Tube Air Racing, LLC / Larry Teuber; Renner Associates – Agent

- c. Variance / VA 22-11: Susan Murray; KTM Design Solutions, Inc. - Agent
- d. Variance / VA 22-12: Michael and Kathryn Cruse
- e. Variance / VA 22-13: Ed and Linda Weber
- f. Subdivision Regulations Variance / SV 22-05: Larry and Nancy Van Overschelde; KTM Design Solutions - Agent
- g. Subdivision Regulations Variance / SV 22-06: Larry and Nancy Van Overschelde; KTM Design Solutions - Agent
- h. Variance / VA 22-08: ZirKiss, Inc./Breawna Ventura Nylen (*Cont. from the 5/17/22 BOC Meeting*)

**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:**

- i. Minor Plat / MPL 22-22: Larry and Nancy Van Overschelde. To reconfigure lot lines to create Lot 10R and Lot 11R of Bears Den Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Minor Plat / MPL 22-22 with seven (7) conditions*)
- j. Preliminary Plat / PPL 22-20: Rockerville Gold Town, LLC; D.C. Scott Surveyors - Agent. To reconfigure lot lines to create Tract 1, Tract 2, Tract 3 and Tract 4 of Rockerville Gold Town Subdivision in accordance with Section 400.2 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Preliminary Plat / PPL 22-20 with eleven (11) conditions*)
- k. Preliminary Plat / PPL 22-21: Dale and Jillian Siemonsma. To subdivide and create Lots 1, 2, 3, and 4 of Oak Draw Subdivision in accordance with Section 400.2 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Preliminary Plat / PPL 22-21 with nine (9) conditions*)

**End of Consent Agenda**

**Regular Agenda Items:**

**UNCONTESTED HEARING(S):**

- l. Public Hearing of Comprehensive Plan Amendment / CA 22-12: Mary Dietrich; Howe Land Surveying - Agent. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District to Low Density Residential District in accordance with Sections 206, 208, and 508 of the Pennington County Zoning Ordinance. (*Planning Commission recommended to continue Comprehensive Plan Amendment / CA 22-12 to the 6/21/22 BOC Meeting*)
- m. Public Hearing of Rezone / RZ 22-13: Mary Dietrich; Howe Land Surveying - Agent. To rezone 4.9 acres from Agriculture District to Low Density Residential District in accordance with Sections 205, 208, and 508 of the Pennington County Zoning Ordinance. (*Planning Commission recommended to continue Rezone / RZ 22-13 to the 6/21/22 BOC Meeting*)
- n. Public Hearing of Comprehensive Plan Amendment / CA 22-09: Justin Kistler; KTM Design Solutions - Agent. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance. (*Planning Commission recommended approval of Comprehensive Plan Amendment / CA 22-09*)

- o. Public Hearing of Rezone / RZ 22-10: Justin Kistler; KTM Design Solutions - Agent. To rezone 9.6 acres from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Rezone / RZ 22-10)*
- p. Public Hearing of Comprehensive Plan Amendment / CA 22-11: Russell and Kimberly Johnson. To amend the Comprehensive Plan to change the Future Land Use from Ranchette District to Rural Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Comprehensive Plan Amendment / CA 22-11)*
- q. Public Hearing of Rezone / RZ 22-12: Russell and Kimberly Johnson. To rezone 10.47 acres from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Rezone / RZ 22-12)*
- r. Public Hearing of Comprehensive Plan Amendment / CA 22-13: Dale and Jillian Siemonsma. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Highway Service District in accordance with Sections 207, 212, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Comprehensive Plan Amendment / CA 22-13)*
- s. Public Hearing of Rezone / RZ 22-14: Dale and Jillian Siemonsma. To rezone 1.942 acres from Agriculture 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 22-14)*
- t. Public Hearing of Rezone / RZ 22-15: Dale and Jillian Siemonsma. To rezone 2.099 acres from Highway Service District to Rural Residential District in accordance with Sections 207, 212, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Rezone / RZ 22-15)*
- u. Public Hearing of Rezone / RZ 22-16: Dale and Jillian Siemonsma. To rezone 26.690 acres from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended approval of Rezone / RZ 22-16)*

**CONTESTED HEARING(S):**

- v. Road Construction within a Section Line Right-Of-Way / CS 22-03: Skyview Ranchettes, LLC; Jack Corr. To construct 66 feet of road within the Section Line Right-of-Way between Sections 10 and 11, T2S, R8E to provide access to property located in Section 11, T2S, R8E, BHM, Pennington County, South Dakota
- w. Request to not build to Ordinance 14 Road Standards: Skyview Ranchettes, LLC; Jack Corr
- x. Conditional Use Permit / CU 22-16: Dawn and Troy Richter. To allow a Recreational Vehicle Park on the subject property in an Agriculture District in accordance with Sections 205, 306, and 510 of the Pennington County Zoning Ordinance. *(Planning Commission recommended to continue Conditional Use Permit / CU 22-16 to the 6/21/22 BOC meeting)*
- y. Public Hearing of Comprehensive Plan Amendment / CA 22-10: Lowell Pflieger; D.C. Scott Surveyors - Agent. To amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Commercial District in accordance with Sections 208, 211, and 508 of the Pennington County Zoning Ordinance. *(Planning Commission recommended to deny without prejudice Comprehensive Plan Amendment / CA 22-10)*

- z. Public Hearing of Rezone / RZ 22-11: Lowell Pfleger; D.C. Scott Surveyors - Agent. To rezone 1.10 acres from Agriculture District to Commercial District in accordance with Sections 205, 211, and 508 of the Pennington County Zoning Ordinance. (*Planning Commission recommended to deny without prejudice Rezone / RZ 22-11*)
- aa. Public Hearing of Planned Unit Development Overlay / PU 22-06: Katie Smirnova and Brett Walfish. To allow a Planned Unit Development Overlay to allow a single-family residence to be used as a summer/winter educational music camp, to allow off-season musical performance concerts each year, to allow shed/cabins to be used for classes and rehearsals, and a Bed and Breakfast on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance. (*Planning Commission recommended to deny without prejudice Planned Unit Development Overlay / PU 22-06*) (*Cont. from the 5/17/22 BOC meeting*)
- bb. Public Hearing of Ordinance Amendment / OA 21-22: Pennington County. To add Section 330 “Efficiency Dwellings” to the Pennington County Zoning Ordinance. (*Planning Commission recommended approval of Ordinance Amendment / OA 21-22*) (*Cont. from the 2/15/22 BOC meeting*)
- cc. Public Hearing of Ordinance Amendment / OA 21-23: Pennington County. To amend Section 205-A “Agriculture District” of the Pennington County Zoning Ordinance. (*Planning Commission recommended approval of Ordinance Amendment / OA 21-23*) (*Cont. from the 2/15/22 BOC meeting*)
- dd. Public Hearing of Ordinance Amendment / OA 21-24: Pennington County. To amend Section 210-A “Urban Residential District” of the Pennington County Zoning Ordinance. (*Planning Commission recommended approval of Ordinance Amendment / OA 21-24*) (*Cont. from the 2/15/22 BOC meeting*)
- ee. Public Hearing of Ordinance Amendment / OA 22-07: Pennington County. To amend the Subdivision Regulations [to amend and supersede the existing Subdivision Regulations] of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Ordinance Amendment / OA 22-07*) (*Cont. from the 5/17/22 BOC meeting*)
- ff. Request to not pay Building Permit Penalty Fee: Kathy Pool

24. Committee Reports – Scheduled meetings by Commissioner

TL – LEPC meeting, Healthcare Trust Board, Community Health Center, Fire Service  
 LL – Community Health Center  
 GD – Planning Commission  
 RR – PC Housing & Redevelopment, Elevate Board, BHNF Co-op, Weed & Pest  
 DH – PC Housing & Redevelopment, Care Campus, Weed & Pest, Fire Service  
 ALL – Planning Workshop

25. 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)

26. Adjourn