

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
MAY 4, 2021
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**

***REVISED**



*Gary Drewes, Chair, District 5
Ron Rossknecht, Vice Chair, District 1*

*Lloyd LaCroix, District 2
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 May 4th, 2021 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. Executive Proclamation: Pennington County Corrections Week - May 2-8, 2021
6. Executive Proclamation: Public Service Recognition Week - May 2-8, 2021

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:

7. Minutes of the regular meeting – April 20, 2021
8. To authorize the chair's signature to the Order of Organization and Incorporation for the Valley Heights Estates Sanitary District, with the following legal description: All of Valley Heights Estates Subdivision Located in Section 36, T2N, R8E and Sections 1 & 12 in T1N, R8E, BHM Pennington County, South Dakota (AUD)
9. To acknowledge the notice of intent to conduct a raffle – 4 River Shrine Club (COM)
10. To acknowledge the notice of intent to conduct a raffle – Western South Dakota Catholic Foundation (COM)
11. To reschedule the May 7th, 2021 budget work session to Wednesday June 2nd, 2021 starting at 8:30 a.m. (COM)
12. Approval to apply for the following grants: Fire House Subs Foundation, Farm Credit Services of America and Golden West (Fire)
13. To declare metal detector, asset #003723, as surplus property for the purpose of destruction or disposal (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:

14. Items From Fire Administration
 - a. Fireworks Briefing
 - A resolution prohibiting the use of fireworks as provided in SDCL § 34-37-19
 - b. First reading of Ordinance 726 - An Ordinance Regulating Open Burning in Pennington County

15. Items From Auditor
 - a. Amending and restating resolution relating to lease-purchase of county buildings, authorizing the execution and delivery of a lease-purchase agreement and approving and authorizing execution of related documents and authorizing certificates of participation – Mr. Tom Grimmond, Senior Vice President, Colliers Securities

16. Items From Register of Deeds
 - a. A resolution establishing fees to be paid for uncertified copies of recorded documents in the Register of Deeds Office pursuant to SDCL § 7-9-15(6)

17. Items From Buildings & Grounds
 - a. Lamp Lighter Inn Property Demo & Parking Lot Project Design Services Proposal - Renner Associates, LLC

18. Items From Central States Fair
 - a. Agreement for issuance of a retail on-sale liquor license to Central States Fair, Inc.

19. Items From Emergency Management
 - a. COVID-19 Update
 - Any and all other business related to the COVID-19 virus

20. Items From Highway Department
 - a. SDDENR Volkswagen Truck Rebate Program Application
 - b. Professional Services Agreement - Sonquist Lane
 - c. Emergency Procurement – Change Order #1 Nemo Road Bridge 52-306-261
 - d. Hiring Request – Flagger Position
 - e. South Rochford Road Reconstruction Funding (*Cont. from 4/20/21 BOC mtg*)

21. Request for variance to Ordinance 14 and approval of a second approach – Steven & Cathy Nilsson

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

BOARD OF ADJUSTMENT

- a. Variance / VA 21-05: Wild Springs Solar, LLC; Geronimo Energy
- b. Variance / VA 21-06: Wild Springs Solar, LLC; Geronimo Energy
- c. Subdivision Regulations Variance / SV 21-05: Tim and Terra Duda

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:

- d. Minor Plat / MPL 21-15: Jessica Hessler – 7 Wonders, LLC; Fisk Land Surveying – Agent (*Approval Recommended*)

End of Consent Agenda

Regular Agenda Items:

- e. Second Reading of Ordinance Amendment / OA 21-02: Pennington County. To amend the Zoning Ordinance to add Section 324 – Accessory Dwellings to the Pennington County Zoning Ordinance
- f. Second Reading of Ordinance Amendment / OA 21-03: Pennington County. To amend Section 204-I “Standards for Manufactured Homes, Modular Homes and Site, or Stick-Built Homes” of the Zoning Ordinance [to amend and supersede the existing Section 204-I “Standards for Manufactured Homes, Modular Homes and Site, or Stick-Built Homes”]
- g. Second Reading of Ordinance Amendment / OA 21-04: Pennington County. To amend Section 304 “Mobile Homes” of the Zoning Ordinance [to amend and supersede the existing Section 304 “Mobile Homes”]
- h. Second Reading of Ordinance Amendment / OA 21-05: Pennington County. To amend Ordinance 106 “Public Nuisance” [to amend and supersede the existing Ordinance 106 “Public Nuisance”]
- i. Public Hearing of Major Planned Unit Development Amendment / PU 21-07: Nothing Doing, LLC; Dannie Davis – Agent
- j. Public Hearing of Rezone / RZ 21-13: Nothing Doing, LLC; Dannie Davis – Agent
- k. Layout Plan / LPL 21-14: Don and Laura Elliott
- l. Vacation of Plat / VP 21-03: Scott and Terrie Sauder
- m. First Reading and Public Hearing of Ordinance Amendment / OA 21-06: Pennington County. To amend Section 507-I-5-b “Construction Permits - Permit Requirements” of the Zoning Ordinance [to amend and supersede the existing Section 507-I-5-b “Construction Permits - Permit Requirements”]
- n. First Reading and Public Hearing of Ordinance Amendment / OA 21-07: Pennington County. To amend Section 202 “Official Zoning Map” of the Zoning Ordinance [to amend and supersede the existing Section 202 “Official Zoning Map”]
- o. Public Hearing of Comprehensive Plan Amendment / CA 21-07 – Approval by Resolution: Pennington County. To amend the existing Comprehensive Plan, Comprehensive Plan “View to 2040” Section 3.1 “Land Use Designations and Standards” and “Land Use Description - Planned Unit Development” and to add to Section 3 “Land Use and Housing Element” Figure 3-2 “Official Zoning Map” page 3-16

23. Items From Commission Manager

- a. Proposed resolutions for BHACC/SDACC
- b. *Initiated Measure 26 – Proposed Temporary Ordinance regarding the issuance of local medical cannabis establishment permits and/or licenses
 - To set Board public hearings dates and times

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 – Community Health Center

LL – Healthcare Trust Board, Community Health Center

GD – BH Council of Local Government, BH Military Advisory Coalition – Community

RR – Building Committee, PC Housing & Redevelopment, BH Council of Local Government, Planning Commission

DH – Building Committee, PC Housing & Redevelopment

ALL – Board of Equalization Hearings, Government Affairs Connection

26. Approval of the Vouchers - \$1,027,997.03

27. 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.)

28. 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)

29. Adjourn