

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
NOVEMBER 16, 2021
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**

***REVISION 2**



*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 November 16th, 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

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 – November 2, 2021
6. To authorize the chair's signature to the Order of Organization and Incorporation for the Blake 2 Road District with the following legal description: Lot A of Lot 2 of Block B of NE1/4NW1/4; Lot 1 of Block D of NE1/4NW1/4; and Lot 4 of Ladd Subdivision; all located in Section 18, T1N, R7E, BHM, Pennington County, South Dakota (AUD)
7. Recognize and thank the volunteers for the month of October 2021 (HR)(Fire Admin)

End of Consent Agenda

Regular Agenda Items:

8. Appointment of County Constable for Legislative District 34 - Mr. Daniel Fields
9. Application to establish a Right-of-Way to an Isolated Tract pursuant to SDCL § 31-22-1 – Crossed Sabers, LLLP. (Site visit conducted 10-15-2021) (Cont. from 11/2/2021 BOC meeting)
10. Black Hills National Forest 3-year timber outlook 2022-2024 and initiation of Forest Plan Revision – Mr. Jim Gubbels, BHNH Mystic District Ranger

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.

11. Data Quality Act Challenge to US Forest Service request for support - Black Hills Resource Association
12. Lien Release Request (RB-CA)
13. Items From Auditor
 - a. **Liquor Licenses Public Hearings:**
 - Renewal of Retail (on sale) Liquor with Sunday Sales
 - Renewal of Retail (on-off sale) Wine & Cider Licenses
14. Items From Sheriff
 - a. Sheriff's Office Vehicle Bid / Surplus Authorization
15. Items From Highway Department
 - a. South Rochford Road Bridge Change Order #3
 - b. Livestock Guard Policy
16. Items From Human Resources
 - a. Holiday Closure Policy
 - b. New position title – Emergency Management/Fire Administration (Administrative Assistant 2)
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. Subdivision Regulations Variance / SV 21-25: Don and Laura Elliott; KTM Design Solutions – Agent
 - b. Subdivision Regulations Variance / SV 21-26: Jeffery Jamison; KTM Design Solutions – Agent

UNCONTESTED HEARING(S):

- c. Minor Plat / MPL 21-69: Jeffery Jamison; KTM Design Solutions - Agent. To combine Lots 15, 16, 17 and 18 to create Lot 15R of Oak Meadows Estates Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Minor Plat / MPL 21-69 with seven (7) conditions.*)
- d. Minor Plat / MPL 21-70: Roger and Kathy Eckert; Fisk Land Surveying - Agent. To create Lot 1 of Eckert Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Minor Plat / MPL 21-70 with six (6) conditions.*)
- e. Minor Plat / MPL 21-71: Don and Laura Elliott; KTM Design Solutions. To combine two lots to create Lot 29 Revised of Block 3 of the Original Townsite of

- Silver City Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Minor Plat / MPL 21-71 with six (6) conditions.*)
- f. Minor Plat / MPL 21-73: Dennis and Wyonne Kaemingk; Fisk Land Surveying - Agent. To combine three lots to create Lot 4R, Block 8 of Forest Home Development Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Minor Plat / MPL 21-73 with seven (7) conditions.*)
 - g. Minor Plat / MPL 21-74: PDQ Construction Inc.; Justin DeVeney. To combine two lots to create Lot 7R of The Forks at Remmington Ranch Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations. (*Planning Commission recommended approval of Minor Plat / MPL 21-74 with eight (8) conditions.*)

CONTESTED HEARING(S):

- h. Request to not build to Ordinance 14 Standards: Detlev and Connie Prautzsch.
- i. Road Construction in a Section Line Right-Of-Way / CS 21-10: Detlev and Connie Prautzsch. To construct a turnaround within the Section Line Right-of-Way between Sections 28 and 33 to provide access to property located in Section 28, T1S, R5E, BHM, Pennington County.
- j. Layout Plan / LPL 21-68: Southern Black Hills Water Systems, Inc. To subdivide and create Lot JR and Lot W of Phase 3 of Rushmore Ranch Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.
- k. Public Hearing of Comprehensive Plan Amendment / CA 21-14: Dennis and Wyonne Kaemingk; KTM Design Solutions – Agent. 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.
- l. Public Hearing of Rezone / RZ 21-29: Dennis and Wyonne Kaemingk; KTM Design Solutions – Agent. To rezone 2.25 acres from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington County Zoning Ordinance.
- m. Layout Plan / LPL 21-72: Michael and Joslyn Sullivan. To subdivide and create Tracts 4A and 4B of Schacher Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.
- n. *Tax Increment Finance District #6: A Tax Increment Finance District (TIF) has been submitted by Pink Cabin, LLC for the purpose of developing infrastructure improvements along Anderson Road between E. Highway 44 and Long View Road to support the Apple Valley Affordable Housing Development.
 - Resolution Creating Tax Increment Financing District Number 6, County of Pennington
 - Resolution Approving the Project Plan for Tax Increment Financing

19. Items From Commission Manager

- a. Commission Meeting Start Time

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.)

21. Committee Reports – Scheduled meetings by Commissioner

TL – RC Public Library Board of Trustees, Planning Committee

LL – No scheduled meetings

GD – Planning Commission, Central States Fair Board

RR – Building Committee

DH – Building Committee, Planning Committee, Fire Service Board

*22. Approval of the Vouchers - \$10,651,592.65

23. 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)

24. Adjourn