

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
DECEMBER 21, 2021
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**



*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 December 21st, 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 – December 7, 2021
6. To acknowledge the change of the final 2021 Unorganized Road Fund Mill Levy for taxes payable in 2022 to be 1.069 (AUD)
7. To accept the recommendation for the appointments of Patty Brunner, Matthew Odden, Dallas Vos, Mark DiSanto, Heather Chambliss, Lloyd LaCroix and John James to the 2022 Extension Advisory Board (COM)
8. To approve the revised 2022 Board of Commissioners Meeting Dates (COM)
9. Recognize and thank the volunteers for the month of November 2021 (HR)(Fire Admin)
10. To declare Capital Asset No. 97073, 2006 Jeep Liberty, VIN #1J4GL48K76W197073 as surplus to turn the vehicle over to the insurance company for insurance settlement (PZ)
11. To authorize the Joint Powers Agreement between the South Dakota Office of the Attorney General Division of Criminal Investigations, Pennington County, the Pennington County Sheriff's Office, and the City of Rapid City for the Computer Forensics Examiner position (SO)

End of Consent Agenda

Regular Agenda Items:

12. Executive Session per SDCL 1-25-2
 - a. Contractual/Pending Litigation per SDCL 1-25-2(3)

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. Items From Auditor

- a. Transfer of Alcoholic Beverage License - Sweet Grass Bed & Breakfast / Shipwreck Bar & Grill to Shipwrecks Bar & Grill (MRH Services LLC)

14. Items From Sheriff

- a. Correctional Officer Hiring Incentive Revision

15. Items From Human Resources

- a. New Position in Highway Department – Traffic Operations / Engineer Technician

16. Items From Highway Department

- a. Right-of-Way Certificate – Nemo Road Horizontal Curve
- b. Right-of-Way and Utilities Certificate – Sherman Street Bridge
- c. Right-of-Way and Utilities Certificates – Bridge Rehabilitation Projects
- d. Resolution 2021-12-21-1 BIG Grant Program Application

17. Request for variance to Ordinance 14 and approval of a second approach – Mr. Jeff Jamison; Janelle Finck – Agent (*Cont. from the 12/7/2021 BOC meeting*)

18. Request for speed limit change, Hwy 14/16, New Underwood, Mr. Walter R. Miller, President – 7 Lazy 7 L.L.C.

19. 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.)

20. 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. Variance / VA 21-38: Scott Highland

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:

- c. Minor Plat / MPL 21-84: Caputa Acres, LLC; Milton Gutknecht. To create Tract 1 of Caputa Acres Addition in accordance with Section 400.3 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- d. Minor Plat / MPL 21-85: Connie and Detlev Prautzsch; KTM Design Solutions - Agent. To subdivide and create Lots 1 and 2 of Storm Hill Subdivision No. 2 in accordance with Section 400.3 of the Pennington County Subdivision Regulations (*Approval Recommended*)

- e. Minor Plat / MPL 21-86: Jeffrey Scherr. To reconfigure lot lines and create Lot D1 Revised and Lot D2 Revised of Lot 17 in Fort Meade Placer No. 244 in accordance with Section 400.3 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- f. Minor Plat / MPL 21-87: Randy and Peggy Sogge; Fisk Land Surveying - Agent. To subdivide and create Lots 3RA and 3RB of Block 2 of Dead Broke Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- g. Layout Plan / LPL 21-83: 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 400.1 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- h. Layout Plan / LPL 21-78: ELS Properties, LLC; Rick Schulke. To subdivide and create Lots 3A, 3B, 3C, 3D, and 3E of Battle Creek Mountain Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- i. Layout Plan / LPL 21-80: Gold Run III, LLC; Gregory Wittenberg. To consolidate two lots to create Lot 6 Revised of Gold Run Park Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- j. 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 (*Recommend to continue to the 1/18/22 BOC meeting*)
- k. Layout Plan / LPL 21-81: Travis and Amanda Frink. To subdivide and create Lot 1 of Frink Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations (*Approval Recommended*)
- l. Layout Plan / LPL 21-82: No Bad Days Campground LLC; Rob Livingston. To subdivide and create Lots 1, 2, 3, 4 and Utility Lot of No Bad Days Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations (*Approval Recommended*)

End of Consent Agenda

Regular Agenda Items:

UNCONTESTED HEARING(S):

- m. Public Hearing of Rezone / RZ 21-31: William and Marilou Carlson. To rezone 1.08 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 approval of Rezone / RZ 21-31*)
- n. Public Hearing of Major Planned Unit Development Amendment / PU 21-17: Little Guys, LLC; Ben Brink - Agent. To amend the existing Planned Unit Development to allow a Specialty / Recreational Resort and to add 25 rental cabins and staff housing and dorms to the subject properties in accordance with Section 216 of the Pennington County Zoning Ordinance. (*Planning Commission recommended approval of Major Planned Unit Development Amendment / PU 21-17 with twenty-five (25) conditions*)

CONTESTED HEARING(S):

- o. Vacation of Section Line Right-Of-Way / VS 21-06: Michael and Kathryn Cruse. To vacate 351 feet of the Section Line Right-of-Way located along the east lot line between Sections 32 and 33 of T1N, R7E, BHM, Pennington County, South Dakota.
 - p. Public Hearing of Planned Unit Development Overlay / PU 21-18: McCrory Vacations, LLC (Lisa McCrory); Rob Livingston - Agent. To allow for a Planned Unit Development Overlay to allow a Recreational Resort to include uses such as: swimming pool, golf course, Vacation Home Rentals, RV site and a pole barn to include a butcher processing shop in accordance with Section 216 of the Pennington County Zoning Ordinance.
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
- TL – Rapid City Public Library Board of Trustees, Elevate RC Annual Meeting, Community Health Center
 - LL – Healthcare Trust Board, Air Quality Board, Community Health Center,
 - GD – Central States Fair Board, MPO Executive Policy
 - RR – Building Committee, PC Housing & Redevelopment, MPO Executive Policy
 - DH – Fire Service Board, Planning Commission, Building Committee, Weed & Pest Board, PC Housing & Redevelopment Commission
 - ALL – Fire Service Board Annual Banquet, Central States Fair Christmas Party, LNI Red Carpet Welcome, Employee Christmas Open House, BHACC-O meeting
23. Approval of the Vouchers - \$4,772,466.54
24. Executive Session per SDCL 1-25-2
- a. Personnel Issue per SDCL 1-25-2(1)
 - Department Head Annual Review
 - b. Contractual/Pending Litigation per SDCL 1-25-2(3)
25. Adjourn