

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
FEBRUARY 7, 2023
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**



*Lloyd LaCroix, Chair, District 2
Ron Rossknecht, Vice Chair, District 1*

*Deb Hadcock, District 3
Travis Lasseter, District 4
Gary Drewes, District 5*

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 February 7th, 2023 Board of Commissioners Meeting.
Please silence cell phones, pagers and other electronic communication devices.
Agendas and speaker request forms 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 17, 2023
6. Minutes of the special meeting – January 25, 2023
7. To amend the minutes from the January 3, 2023 regular meeting to correct the two typographical errors for the headings of the items from the Compensation Committee to accurately reflect the following: a) Recommendation – 4.1 Vacation Benefits Policy and b) Recommendation – 4.3 Sick Leave Policy (*AUD*)
8. To approve the proposed resolution of the Green Valley Sanitary District for annexation (*AUD*)
9. Move to approve the reclassification exception request, to authorize backpay and place Alex Taylor-Kenzy at B22, Step 1, \$19.41 hr., Caleb Lansdowne at B24, Step 1, \$24.07 hr. and Melorie Miner at B24, Step 1, \$24.07 hr., effective January 8, 2023 (*COM*)
10. To reappoint Mr. Jerry Hirschoff to the Weed & Pest Board for a term of three (3) years effective February 7, 2023 (*COM*)
11. To acknowledge the notice of intent to conduct a raffle – Baseball Parents, Inc. d/b/a Post 22 Baseball (*COM*)
12. To acknowledge the notice of intent to conduct a raffle – Rushmore Hockey Association (*COM*)

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. To acknowledge the notice of intent to conduct a raffle – 4 Rivers Shriners – Crescent Lodge #210 (COM)

End of Consent Agenda

Regular Agenda Items:

14. Items From Auditor

- a. Renewal of Retail (On-Sale) Liquor with Sunday Sales – Horse Creek Resort

15. Items From Emergency Management

- a. New Position Request – EM Staff Assistant I

16. Items From Equalization

- a. Abatement Application:
 1. Joe Carlin, Parcel #8002126, Tax Year 2022, \$89.34

17. Items From Fire Administration

- a. Recruitment Update
– West 605: Episode 8 “Volunteer Firefighters”

18. Items From Highway Department

- a. Authorization to Advertise and Let 2023 Annual Construction Projects
- b. Authorization to Advertise and Let 2023 Annual Supplies and Materials
- c. 2023 Bridge Reinspection Program Resolution 2023-02-07-1
- d. Contract for Geotechnical Investigation – Sage Creek Road
- e. State Infrastructure Bank Loan Application – South Rochford Road Reconstruction

19. Items From Compensation Committee

- a. Wage Study Directive

20. Items From Public (Speaker request form is required)

(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. Speakers under this item will be recorded in the minutes by name and area of interest.)

21. Items From Planning & Zoning – 10:30 a.m.
BOARD OF ADJUSTMENT HEARING(S):

- a. Variance / VA 23-01: Barry and Judy Bauer. To reduce the rear yard setback to construct a detached garage in a Rural Residential District in accordance with Sections 207 and 509 of the Pennington County Zoning Ordinance

- b. Variance / VA 23-02: Wind River, LLC. To allow an onsite wastewater treatment system on lots smaller than one acre in size in a Suburban Residential District in accordance with Sections 204-M, 209, and 509 of the Pennington County Zoning Ordinance

UNCONTESTED HEARING(S):

- c. Public Hearing of Rezone / RZ 22-32: Shirley Brownell and Robert Brownell; KTM Design Solutions - Agent. To rezone 9.78 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 22-32*)

CONTESTED HEARING(S):

- d. Road Construction within a Section Line Right-Of-Way / CS 23-01: Brian Deschaine. To construct 745 feet of road within the Section Line Right-of-Way
- e. (Highway) Exception Request to Ordinance 14 / ER 01-18-23-1: Brian Deschaine
- f. Road Construction within a Section Line Right-Of-Way / CS 23-02: Brian Deschaine. To construct 720 feet of road within the Section Line Right-of-Way
- g. (Highway) Exception Request to Ordinance 14 / ER 01-18-23-2: Brian Deschaine
- h. Public Hearing of Planned Unit Development Overlay / PU 22-17: David Allard. To allow a Planned Unit Development Overlay for a mixed-use structure, a mobile home park, and a multiple-family dwelling in a Commercial District
- i. Public Hearing of Rezone / RZ 22-31: Argyle Properties, LLC; Anita Lee; Jim Peterson - Agent. To rezone 13.55 acres from Agriculture District to Ranchette District

22. 2023 Legislative Session

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

23. 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.)

24. Committee Reports – Scheduled meetings by Commissioner

- TL – No committee meetings scheduled
- LL – BH Council of Local Governments, Drainage Commission, Community Health Center Board
- GD – Elevate Rapid City Board of Directors
- RR – PC Housing & Redevelopment, BH Council of Local Governments, Community Health Center Board
- DH – PC Housing & Redevelopment, Planning Commission, Compensation Committee, Drainage Commission
- ALL – Black Hills Stock Show & Rodeo, Legislative Crackerbarrel

25. Approval of the Vouchers - \$2,447,203.61
26. Executive Session per SDCL 1-25-2
 - a. Personnel Issue per SDCL 1-25-2(1)
- Annual Department Head Evaluation
 - b. Contractual/Pending Litigation per SDCL 1-25-2(3)
27. Adjourn