

**\*\*REVISED\*\***

**PENNINGTON COUNTY BOARD OF COMMISSIONERS  
PROPOSED MEETING AGENDA  
JULY 19, 2022  
9:00 A.M.  
COMMISSION CHAMBERS  
COUNTY ADMINISTRATION BUILDING**



*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 July 19<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

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 budget hearings – June 28 & 29, 2022
6. Minutes of the regular meeting – July 5, 2022
7. To approve the renewal of the Retail (on-off sale) Malt Beverage & SD Farm Wine License for Johnson Siding General Store and to release the license upon payment of appropriate property taxes (*AUD*)
8. To declare 1 (one) 1998 Subaru Outback, Asset # 29654, VIN: 4S3GB6852W7629654 surplus for the purpose of trade-in (*DOE*)
9. Approval of the 3rd Qtr. 2022 LEMPG (Local Emergency Management Performance Grant) (*EM*)
10. Approval to apply for a John T. Vucurevich Foundation Grant for 2022-2023 (*HHS*)
11. Recognize and thank the volunteers for the month of June 2022 (*HR*)(*Fire Admin*)

**End of Consent Agenda**

**Regular Agenda Items:**

12. Citizen Petition to the Pennington County Board of Commissioners – To request the resignation of Mark Vargo – Ms. Tonchi Weaver

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. New Retail (on-off sale) Malt Beverage & SD Farm Wine License – SOBOS LLC
- b. FY2023 County Budget - Provisional Approval  
(Sept. 6, 2022 @ 10:00 a.m. Public Hearing for Final FY2023 Budget)  
- Any and all items relating to the preparation of the Final FY2023 Budget

14. Items From Buildings & Grounds

- a. Request to Increase Starting Wage for Buildings & Grounds Positions
  - Custodian, Grade A12
  - Building Technician 2, Grade B21
  - Building Specialist 2 -Construction, Grade B22

15. Items From Emergency Management

- a. Local Emergency Operations Plan (LEOP) Annual Review

16. First Reading and Public Hearing of Ordinance NO. 737 – An Ordinance for the Imposition and Collection of a Wheel Tax in Pennington County

17. Items From Highway Department

- a. Work Order for Engineering Services - Deadwood Avenue Reconstruction
- b. Amendment 1 to Secondary Roads Identification Agreement

18. Items From Human Resources

- a. County Administration Building 4-Day Compressed Workweek Proposal

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. Subdivision Regulations Variance / SV 22-07: JV Gulch, LLC / Isaac Almanza;  
Renner Associates - Agent

**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:**

- b. Conditional Use Permit / CU 22-30: Larsson Recreational Properties / Paschal Perrotte. To allow a Recreational Vehicle Park on the subject property in a Highway Service District in accordance with Sections 212, 306, and 510 of the Pennington County Zoning Ordinance (*Planning Commission recommended to continue Conditional Use Permit / CU 22-30 to the 8/2/22 BOC meeting*)

**End of Consent Agenda**

**Regular Agenda Items:**

**UNCONTESTED HEARING(S):**

- c. Preliminary Plan / PPL 22-33: No Bad Days Campground, LLC; Rob Livingston. To subdivide and create Lots 1, 2, 3, and 4 and Utility Lot of No Bad Days Subdivision in accordance with Section 500 of the Pennington County Subdivision Regulations (*Continued from 7/5/22 BOC meeting*) (*Planning Commission recommended approval of Preliminary Plan / PPL 22-33 with nine (9) conditions*)
- d. Public Hearing of Comprehensive Plan Amendment / CA 22-15: No Bad Days Campground, LLC; Rob Livingston. To amend the Comprehensive Plan to change the Future Land Use from Highway Service District to Rural Residential District in accordance with Sections 207, 212, and 508 of the Pennington County Zoning Ordinance (*Continued from 7/5/22 BOC meeting*) (*Planning Commission recommended approval of Comprehensive Plan Amendment / CA 22-15*)
- e. Public Hearing of Rezone / RZ 22-21: No Bad Days Campground, LLC; Rob Livingston. To rezone 9.83 acres from Highway Service District to Rural Residential District in accordance with Sections 207, 212, and 508 of the Pennington County Zoning Ordinance (*Continued from 7/5/22 BOC meeting*) (*Planning Commission recommended approval of Rezone / RZ 22-21*)

**CONTESTED HEARING(S):**

- f. Road Construction within a Section Line Right-Of-Way / CS 22-09: Mitch Morris. To construct 962 feet of road within the Section Line Right-of-Way between Sections 3 and 34, T1N, R8E to provide access to property located in Section 34, T1N, R8E, BHM, Pennington County, South Dakota
- g. Request to not build to Ordinance 14 Standards: Mitch Morris
- h. Road Construction within a Section Line Right-Of-Way / CS 22-10: Kevin Quinn. To construct 200 feet of road within the Section Line Right-of-Way between Sections 7 and 18, T1N, R7E to provide access to property located in Section 18, T1N, R7E, BHM, Pennington County, South Dakota
- i. Request to not build to Ordinance 14 Standards: Kevin Quinn
- j. Public Hearing of Planned Unit Development Overlay / PU 22-10: Wheaton Enterprises, LLC / Natalie Wheaton. To allow a Planned Unit Development Overlay to allow a Recreational Resort on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance
- k. Public Hearing of Ordinance Amendment / OA 22-01: To add Section 321 “Hard Rock Mining” [to add Section 321 “Hard Rock Mining”] to the Pennington County Zoning Ordinance. (*Continued from 7/5/22 BOC meeting*)

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 – EM (Emergency Mgmt) Users Board, RC Public Library Board of Trustees
- LL – ESCC/911 Users Board, BH Assoc County Commissioners, Extension/4-H Board
- GD – Central States Fair Board
- RR – No meetings scheduled
- DH – Planning Commission

23. Approval of the Vouchers - \$4,908,867.65
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