

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
JUNE 6, 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 June 6th, 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 – May 16, 2023
6. To approve the Order for Organization and Incorporation for the Cliff View Lane Road District (*AUD*)
7. To approve the renewal of the Retail (on-off sale) Malt Beverage & SD Farm Wine Licenses for Black Elk Resort, LLC under Black Elk Resort, LLC, O'Malley's Casino under TNH LLC, and Sugar Shack under Trevor Kautzman and to release license upon payment of appropriate property taxes (*AUD*)
8. To reappoint Mr. Charles Johnson and Mr. Mikal Lewis to the Planning Commission for a term of three (3) years effective July 1st, 2023 (*COM*)
9. To acknowledge the notice of intent to conduct a raffle – Baseball Parents, Inc., d/b/a Post 22 Baseball (*COM*)
10. To acknowledge the notice of intent to conduct a raffle – Silver City Volunteer Fire Department (*COM*)
11. To acknowledge the notice of intent to conduct a raffle – Rochford Chapel (*COM*)
12. To acknowledge the notice of intent to conduct bingo – Rochford Community Hall (*COM*)
13. To approve the S.D. Department of Transportation Railroad Joint Powers Agreement for weed spraying services (*NR*)

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.

14. To authorize the purchase of two (2) Dodge Chargers, State Contract #17620 from Wegner Auto, Pierre, SD for a total purchase price of \$70,194 (SO)

End of Consent Agenda

Regular Agenda Items:

15. Items From Auditor

- a. New Retail (on-off sale) Malt Beverage & SD Farm Wine License(s)
 - Firehouse Campground
 - Horsethief Campground

16. Items From Buildings & Grounds

- a. Contract Award to SECO Construction for the 3rd Floor Courthouse Conference Room Buildout
- b. BKV Facilities Needs Assessment Update Presentation

17. Items From Highway Department

- a. Authorization to Purchase Bulk Diesel and Gas Products
- b. Authorization to Purchase Guardrail Repair
- c. Award Recommendation - Box Culvert (Wilsey Road)
- d. Black Hills National Forest Livestock Guard Agreement
- e. Joint Powers Maintenance, Encroachment & Financial Agreement – Lamb Road & Reservoir Road Intersection
- f. Agreement Providing a Federal Funds Loan - South Rochford Road Reconstruction

18. Items From Building Committee

- a. Action – Courthouse Steam Tunnel for Asbestos Abatement

19. Items From Compensation Committee

- a. Action – Workers’ Compensation Exception (Policy 4.1 Vacation Leave and Policy 4.3a Sick Leave)

20. Items From Commission Manager

- a. Purchasing / Signature Authority Policy
- b. Agenda Management Software
- c. Black Hills National Forest Service News Release – Withdrawal of acres in the Pactola Reservoir

- d. Proposed resolutions for BH Association of County Commissioners (BHACC) / SD Association of County Commissioners (SDACC)
 - 1. A resolution in support of amending current South Dakota State Laws § 12-4-5, 12-6-4, 12-6-8.1, 12-6-55, 12-7-1, 12-7-7, 12-8-8, and 12-19-2.1, that restrict certain election related filings to being done by 5:00 p.m.
 - 2. Any other directives for resolution preparation from the Board

21. Approval of the Vouchers - \$730,416.49

22. 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.)

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

UNCONTESTED HEARING(S):

- a. Planned Unit Development Overlay Review / PU 22-04: John and Tracy Wiebe. To review a Specialty Resort to include three tent spots, one tree house with living quarters, and a caretaker/manager's residence. (*Planning Commission recommended approval of the extension of Planned Unit Development Overlay / PU 22-04 with twenty-six (26) conditions*)
- b. Public Hearing of Rezone / RZ 23-06: Free Range Rentals, LLC; Davis Engineering - Agent. To rezone 7.2 acres from Agriculture District to Rural Residential District. (*Planning Commission recommended approval of Rezone / RZ 23-06*)

CONTESTED HEARING(S):

- c. Public Hearing of Comprehensive Plan Amendment / CA 23-05: Pink Cabin, LLC; KTM Design Solutions - Agent. To amend the Comprehensive Plan to change the Future Land Use from Suburban Residential District to Urban Residential District. (*Planning Commission recommended to continue Comprehensive Plan Amendment / CA 23-05 to the 6/20/23 BOC mtg*)
- d. Public Hearing of Rezone / RZ 23-08: Pink Cabin, LLC; KTM Design Solutions - Agent. To rezone 0.13 acre from Urban Residential District to Suburban Residential District. (*Planning Commission recommended to continue Rezone / RZ 23-08 to the 6/20/23 BOC mtg*)
- e. Ordinance Amendment / OA 23-01: Pennington County. To amend Section 319 Vacation Home Rental [to amend and supersede the existing Section 319 Vacation Home Rental] of the Zoning Ordinance. (*Planning Commission recommended the BOC send the proposed Ordinance Amendment and the proposed document presented by the SD Short-Term Rental Association back to the VHR Committee for review and comments.*)

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. Meetings/Committee Reports – Scheduled meetings by Commissioner

- TL – LEPC (Local Emergency Planning Committee), Planning Commission
- LL – WIR – Western Interstate Region Conference, Community Health Center Board, NACo/WIR Public Lands
- GD – Healthcare Trust Board, Elevate Board
- RR – PC Housing & Redevelopment, Community Health Center Board, NACo/WIR Public Lands
- DH – PC Housing & Redevelopment, Compensation Committee, Care Campus Board

26. Executive Session per SDCL 1-25-2

- a. Personnel Issue per SDCL 1-25-2(1)
 - Annual Department Head Evaluation(s)
- b. Contractual/Pending Litigation per SDCL 1-25-2(3)

27. Adjourn