

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
NOVEMBER 21, 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 November 21st, 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 – November 7, 2023
6. To authorize Buildings & Grounds to advertise for bids to replace the roofs on the Juvenile Services Center (JSC), Jail Annex and Public Safety Building (PSB) (*B&G*)
7. To approve the 2023 Sunset Ranch Road District Agreement (*HWY*)
8. To approve the 2024 Scenic Township Maintenance and Snow Removal Agreement (*HWY*)
9. Recognize and thank the volunteers for the month of October 2023 (*HR*)(*Fire Admin*)
10. To reappoint Heather Funk as Pennington County Veterans Service Officer through the first Monday in January 2028 per SDCL § 33A-1-22 (*HS*)

End of Consent Agenda

Regular Agenda Items:

11. Items From Building Committee
 - a. Recommendation – Highway and Juvenile Department Drainage – Request to Bid
 - b. Recommendation - Jail Infrastructure and Tower Project Design Services Agreement

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.

12. Items From Auditor

- a. **Liquor Licenses Public Hearing(s):**
 - Renewal of Retail (on sale) Liquor with Sunday Sales
 - Renewal of Retail (on-off sale) Wine & Cider Licenses
- b. **9:15 a.m. Public Hearing:**
 - Budget Supplement Resolution SP23-001

13. Items From Highway Department

- a. Professional Services Agreement – 2023 Bridge Rehabilitation Construction Administration
- b. Right-of-Way and Utilities Certificates – 2024 BIG Grant Application Bridges
- c. Dust Abatement Policy

14. 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.)

15. Meetings/Committee Reports – Scheduled meetings by Commissioner

- TL – LEPC
- LL – Complete Health Center Board
- GD – Building Committee, SDACC Executive Board
- RR – Building Committee, PC Housing & Redevelopment, Complete Health Center, SDACC Executive Board
- DH – Fire Service Board, Planning Commission, RC Public Library Board of Trustees, Central States Fair Board, JSC Joint Powers, PC Housing & Redevelopment
- ALL – Wall Economic Development Annual Meeting

16. Approval of the Vouchers - \$8,243,946.78

17. Items from the Public per SDCL § 1-25-1 (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.)

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

- a. Variance / VA 23-15: Jeffrey and Mary Marrs.

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. Planned Unit Development Review / PUR 04-08: 6S Properties, LLC. To review a Planned Unit Development that allows up to five (5) residential lots and a neighborhood commercial area (*Planning Commission recommended approval of Planned Unit Development Review / PUR 04-08 with eight (8) conditions*)

- c. Planned Unit Development Review / PUR 09-02: Salvation Army. To review the Salvation Army Camp Planned Unit Development (*Planning Commission recommended approval of Planned Unit Development Review / PUR 09-02 with twenty (20) conditions*)
- d. Major Planned Unit Development Amendment Review / PUR 18-06: Catherine Sopinski. To review an existing Planned Unit Development to allow the single-family residence to be used as a Vacation Home Rental on the subject property (*Planning Commission recommended to end Major Planned Unit Amendment Development Review / PUR 18-06 with the applicant's concurrence*)
- e. Major Planned Unit Development Overlay Amendment Review / PUR 23-02: Katie Smirnova and Brett Walfish. To review an existing Planned Unit Development Overlay to allow a Specialty Resort (*Planning Commission recommended approval of Major Planned Unit Amendment Development Overlay Amendment Review / PUR 23-02 with thirty (30) conditions*)
- f. Major Planned Unit Development Amendment Review / PUR 19-06: Rockerville Gold Town, LLC, Pat Hall. To review an amendment to an existing Planned Unit Development to allow for townhomes, apartments, and commercial businesses (*Planning Commission recommended approval of Major Planned Unit Amendment Development Review / PUR 19-06 with twenty-three (23) conditions*)

End of Consent Agenda

Regular Agenda Items:

UNCONTESTED HEARING(S):

- g. Public Hearing of Comprehensive Plan Amendment / CA 23-11: Pactola Heights. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District (*Planning Commission recommended to continue Comprehensive Plan Amendment / CA 23-11 to the 12/5/23 BOC meeting, as a Variance has been submitted for the Well Lot*)
- h. Public Hearing of Rezone / RZ 23-16: Pactola Heights. To rezone from Rural Residential District to Low Density Residential District (*Planning Commission recommended to continue Rezone / RZ 23-16 to the 12/5/23 BOC meeting, as a Variance has been submitted for the Well Lot*)

CONTESTED HEARING(S):

- i. Road Construction within a Section Line Right-Of-Way / CS 23-05: Paul and Virgene Gavic.
- j. (Highway) Exception Request to Ordinance 14 / ER 09-28-23-1: Paul and Virgene Gavic.
- k. Road Construction within a Section Line Right-Of-Way / CS 23-06: Paul and Virgene Gavic.
- l. (Highway) Exception Request to Ordinance 14 / ER 09-28-23-2: Paul and Virgene Gavic.
- m. Public Hearing of 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] (*Cont. from the 11/7/23 BOC meeting*)

19. 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)

20. Adjourn