

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
SEPTEMBER 5, 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 September 5th, 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
5. Recognition of New Employees

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:

6. Minutes of the regular meeting – August 15, 2023
7. Approval of the Health Care Trust Board Bylaws from 2018 (*COM*)
8. Approval of the 2024 Local Emergency Management Performance Grant Sub-Recipient Agreement (*EM*)
9. Approval of the Adopt-A-Highway Application for a portion of Old Folsom Road by the Hardrocker Cheer organization (*HWY*)
10. To declare one (1) Glock 9MM, S/N BCHC539 as surplus for the purpose of sale (*SO*)

End of Consent Agenda

Regular Agenda Items:

11. Pennington County Housing & Redevelopment Commission – Repositioning Resolution No. 944 – Mr. Bryan Achbach, Executive Director
- Pennington County Resolution

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 Sheriff
 - a. Follow-up to the 2% Wage Increase Previously Approved
 - b. Emergency Vehicle Purchase Request
13. Items From Emergency Management
 - a. Local Emergency Operations Plan (LEOP) Annual Review
14. Items From Highway Department
 - a. Authorization to Advertise and Let Aggregate Stockpiles for Nichols Creek and Robertson
 - b. Agreement BE 2023-1 (228th Street)
 - c. Agreement RC 2023-1 (143rd Avenue, Country Road and Seger Drive)
 - d. Resolution 2023-09-05-1 Vehicle Weight and Through Truck Restrictions
15. Items From Human Resources
 - a. New Position Request – Administrative Assistant 2 (*Buildings & Grounds*)
16. Items From Compensation Committee
 - a. Recommendation – Policy 4.17 Separation Benefits
 - b. Recommendation - Compensation Philosophy
17. Items From Commission Manager
 - a. 2023 Proposed Resolutions and Policy Statement Changes – South Dakota Association of County Commissioners (SDACC)
 - b. Reschedule the special Board of Commissioners Planning Work Session
18. 2023 Interim Study Committee on County Funding and Services – Update (*Commissioner Drewes*)
19. **10:00 a.m. Public Hearing per SDCL § 7-21-8**
 - a. Consideration of the FY2023 Provisional Budget as the Annual Budget of Appropriations, Expenditures and Revenues (Includes any and all items related to the final FY2024 budget)
 - Any and all items relating to the preparation of the FY2024 Budget
 - Resolution for the Adoption of Annual Budget for Pennington County, SD
20. 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.)

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

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:

- 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 PU 22-04 with twenty-six (26) conditions*)
- b. Planned Unit Development Overlay Review / PU 19-01: Brink Constructors, Inc.; BCI Properties, LLC; Zane Brink – Agent. To review an apprenticeship training facility for linemen of Brink Construction in a Planned Unit Development Overlay. (*Planning Commission recommended to continue the review of PU 19-01 to the Sept. 19, 2023, BOC meeting*)
- c. Major Planned Unit Development Amendment Review / PU 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 to continue the review of PU 19-06 to the Oct. 3, 2023, BOC meeting*)

End of Consent Agenda

Regular Agenda Items:

CONTESTED HEARING(S):

- d. Planned Unit Development Overlay / PU 23-06: Horse Creek, LLC; Garret Kuchenbecker. To allow a Recreational Resort in accordance with the Pennington County Zoning Ordinance.
- e. Road Construction within a Section Line Right-Of-Way / CS 23-04: Scott Ferguson.
- f. Vacation of Section Line Right-Of-Way / VS 23-02: Kyle and Shonna McBride.
- g. Public Hearing of Comprehensive Plan Amendment / CA 23-07: Aren Wells.
- h. Public Hearing of Rezone / RZ 23-10: Aren Wells. To rezone from Agriculture District to Suburban Residential District.
- i. Public Hearing of Comprehensive Plan Amendment / CA 23-06: Adam Weaver / Sharon Holte Weaver; Sarah Tschetter - Agent. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District.
- j. Public Hearing of Rezone / RZ 23-09: Adam Weaver / Sharon Holte Weaver; Sarah Tschetter - Agent. To rezone 0.74 acre from Rural Residential District to Low Density Residential District.
- k. Request to Refund Penalty Fee: Joy Johnson.

22. 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.)

23. Meetings/Committee Reports – Scheduled meetings by Commissioner

TL – LEPC, Summer Study: Post Election Audit, TIF Project Review Committee

LL – MPO Executive Policy Committee, Community Health Center Board

GD – MPO Executive Policy, Compensation Committee, Healthcare Trust Board

RR – PC Housing & Redevelopment, Community Health Center, Planning
Commission, TIF Project Review Committee

DH – PC Housing & Redevelopment

ALL – Central States Fair Ribbon Cutting, AG Appreciation Event, State Bridge Naming
Ceremony

24. Approval of the Vouchers - \$502,422.17

25. 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)

26. Adjourn