

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of February 23, 2018

The Pennington County Board of Commissioners met at 4:03 p.m. on Friday, February 23, 2018, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Lloyd LaCroix called the meeting to order with the following Commissioners present: Mark DiSanto, George Ferebee and Deb Hadcock. Commissioner Ron Buskerud joined by videoconference. Pursuant to SDCL 1-25-1, the votes were taken by roll call.

REVIEW AND APPROVE AGENDA

MOVED by Hadcock and seconded by DiSanto to approve the agenda as presented. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

PUBLIC HEARING AND COMMISSION WORK SESSION FOR ORDINANCE AMENDMENT / OA 17-02: Pennington County. To amend Section 103 “Definitions”; Section 205-B-17 “General Agriculture District”; Section 212-B-12 “Heavy Industrial District”; Section 507-B “Mining Permits”, and Section 511 “Fees” and to add Section 320 “Mining Operation” to the Pennington County Zoning Ordinance.

MOVED by Hadcock and seconded by Buskerud to approve pages one and two as presented. The motion carried 4-0 on a roll call vote with Ferebee abstaining: Buskerud – yes, DiSanto – yes, Hadcock – yes, LaCroix – yes.

MOVED by Buskerud and seconded by Hadcock to approve pages three and four as presented. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, Hadcock – yes, LaCroix – yes.

MOVED by Buskerud and seconded by DiSanto to approve page five with changes to Section E-1, paragraph two, sentence one to read ‘half mile’ instead of 500 feet and add the sentence ‘The applicant shall also notify the Tribal Historical Preservation Office for each of the Tribes listed on the Black Hills National Tribal/THPO current mailing list’. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Ferebee and seconded by DiSanto to change the sentence on page five to read ‘on private ground only’. The motion failed on a roll call vote: Buskerud – no, DiSanto – no, Ferebee – yes, Hadcock – no, LaCroix – no.

MOVED by Buskerud and seconded by Hadcock to approve pages six, seven and eight as presented. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Hadcock and seconded by Buskerud to approve pages nine, ten, eleven and twelve as presented with the changes on page nine. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

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MOVED by Hadcock and seconded by Buskerud for a five minute recess. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

The Board reconvened at 6:02 p.m.

MOVED by DiSanto and seconded by Hadcock to approve page thirteen as presented. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by DiSanto and seconded by Hadcock to approve page fourteen as presented with the changes to I-1-c from Planning Commission to Board of Commissioners. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by DiSanto and seconded by Hadcock to approve page fifteen excluding Section J and rewriting Section I-2 Transfer of Permit. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Hadcock and seconded by DiSanto to approve Section J from pages fifteen & sixteen with the understanding that they will look into the timeline and make changes. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Hadcock and seconded by DiSanto to approve page sixteen Section K as presented with the amendment. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Hadcock and seconded by LaCroix to approve pages seventeen and eighteen as presented.

Substitute motion: MOVED by Ferebee and seconded by DiSanto to approve just page 17 as presented. The motion carried 4-1 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Hadcock and seconded by Buskerud to approve Section O-1 Stop Work Order on page 18.

Substitute motion: MOVED by Ferebee ‘in the case of a mining operation, stop work order will be issued by the Board of Commissioners’. The motion died for the lack of a second.

The original motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, Hadcock – yes, LaCroix – yes.

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MOVED by DiSanto and seconded by Hadcock to approve page eighteen and nineteen to section 6. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Buskerud and seconded by DiSanto to approve the remainder of page nineteen, section 507. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by Hadcock and seconded by DiSanto to approve page twenty as presented. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

Hadcock amended her motion and it was seconded by DiSanto to keep the fees as is. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, Hadcock – yes, LaCroix – yes.

ADJOURN

MOVED by Hadcock and seconded by Buskerud to adjourn the meeting. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes. There being no further business, the meeting adjourned at 7:57p.m.

/s/ Julie A. Pearson, Auditor

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