

MINUTES
PENNINGTON COUNTY PLANNING COMMISSION
June 25, 2012 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Courthouse

MEMBERS PRESENT: Charlie Johnson, Sig Zvejnieks, Karen Hall, Barbara Landers, Lori Litzen, Jim Coleman, and Ken Davis.

STAFF PRESENT: Dan Jennissen, Mandi Schmierer, Kelsey Rausch, and Jeri Ervin.

ROLL CALL

1. APPROVAL OF THE JUNE 11, 2012, MINUTES
Moved by Zvejnieks and seconded by Hall to approve the June 11, 2012, Planning Commission minutes. Vote: unanimous (7 to 0).

2. APPROVAL OF THE AGENDA
Mr. Russ Johnson asked to review the Conditions of Approval for Item #8 prior to the Planning Commission approved the Agenda. Moved by Landers and seconded by Hall to approve the June 25, 2012, Planning Commission Agenda, with the removal of Items #5, #6, and #10 to the Consent Calendar. Vote: unanimous (7 to 0).

CONSENT CALENDAR

The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Calendar, by any Planning Commissioner, staff member, or audience member for separate consideration. The findings of this Planning Commission are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONDITIONAL USE PERMIT REVIEW / CU 10-15:** Len and Kaye Augustson. To review an accessory structure, a storage building/garage, without a primary structure in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All of Blossom Lode, M.S. 993, Section 1, T1N, R3E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 10-15 with the following five (5) conditions:

1. **That an address be assigned for the accessory structure and it be posted in accordance with Ordinance #20 so that it is visible from Castle Peak Road;**

2. That the accessory structure be used for personal use only and no commercial-type uses;
3. That the property remains free of debris and junk vehicles at all times;
4. That if the applicant ever desires to construct living quarters within the accessory structure, an On-Site Wastewater Construction Permit must be obtained and the Building Permit for the accessory structure must be amended to include finished living space; and,
5. That this Conditional Use Permit be reviewed on a complaint basis only.

Vote: unanimous (7 to 0).

4. **CONDITIONAL USE PERMIT REVIEW / CU 10-16:** Power Plus Electric. Brian and Margie Gross – Owners. To review a 5kW wind turbine with a total height of 55 feet in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 1, Sudbury Ranch, Section 21, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 10-16 with the following five (5) conditions:

1. That this Conditional Use Permit allow for one (1) wind turbine not exceed 55 feet in overall height;
2. That the applicant takes any reasonable measures to control the amount of noise generated from the wind turbine so as to not constitute a nuisance to surrounding property owners;
3. That a Building Permit be obtained for any structure exceeding 144 square feet and located on a permanent foundation, which include necessary site plans to be reviewed and approved by the Planning Director;
4. That any future additions of equipment to the site or tower require this Conditional Use Permit to be reviewed by the Pennington County Planning Department; and,
5. That this Conditional Use Permit be reviewed on a complaint basis only.

Vote: unanimous (7 to 0).

7. **LAYOUT PLAT / PL 12-23:** RMS Lode/Matt Keck. To create Lot 2 of Stenson Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: JR #2 Lode less Lot I, less Lot J and less Lot L of JR #2 and JR #5Lodes and less Lot H2 of JR #2, #3 and #5 Lodes of JR #2 Lode MS 1864 and JR #3 Lode less Lots 1 and 2 of Lot E, less Lot H2 of JR #2, #3, and #5 Lode and less ROW, located in Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2 of Stenson Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Layout Plat / PL 12-23 with the following eight (8) conditions:

- 1. That prior to or at the time of Preliminary Plat submittal, the applicant provide adequate percolation test results and soil profile information for review by the Environmental Planner or obtain approval of a Subdivision Regulations Variance waiving this requirement;**
- 2. That prior to Final Plat approval, the 66 foot private access easement be improved to Highway Service road construction standards, including a 32-foot-wide, paved driving surface, a surety or bond be posted for the road improvements, or the applicant obtain approval of a Subdivision Regulations Variance to waive this requirement;**
- 3. That prior to Final Plat approval, engineered road construction plans be provided for the required road improvements to the 66 foot private access easement or else the applicant obtain approval of a Subdivision Regulations Variance to waive this requirement;**
- 4. That eight (8) foot utility and minor drainage easements be dedicated along the interior of all lot lines or else a Subdivision Regulations Variance be obtained waiving this requirement;**
- 5. That at the time of submittal for the Preliminary Plat, the plat meets all the requirements of Section 400.2 of the Pennington County Subdivision Regulations, including the Plat to be scaled at not more than one (1) inch equals one hundred (100) feet, topographic information be provided of the subject property at five (5) foot contour intervals, and the proper certificates and statements be included on the plat or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;**
- 6. That the property be rezoned to Highway Service District and the Future Land Use Map be amended from Planned Unit Development Sensitive to Highway Service District;**

7. That at the time of Preliminary Plat submittal, the applicant submits a Master Plan and Fire Mitigation Plan for review and approval by the Pennington County Fire Coordinator; and,
8. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Vote: unanimous (7 to 0).

8. **LAYOUT PLAT / PL 12-24:** Robert and Cordelia Johnson. To create Tract 8 of Storm Hill Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Balance of GL 4, Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract 8 of Storm Hill Subdivision, Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Layout Plat / PL 12-24 with the following five (5) conditions:

1. That prior to approval of the Minor Plat, Tract 8 shall either be rezoned to Low Density Residential or else the applicants obtain a Lot Size Variance to reduce the minimum lot size requirement in a General Agriculture District;
2. That prior to Minor Plat submittal, the applicants shall obtain an Operating Permit for the existing wastewater system on proposed Tract 8;
3. That prior to Minor Plat submittal, the applicants shall obtain Building Permits for the existing greenhouse and garage/shop located on the property for which penalty fees will be assessed to both of the permits;
4. That at the time of submittal for the Minor Plat, the plat meets all the requirements of Section 400.3 of the Pennington County Subdivision Regulations, including the Plat to be scaled at not more than one (1) inch equals one hundred (100) feet, and topographic information be provided of the subject property at five (5) foot contour intervals or the applicant obtains an approved Subdivision Regulations Variance waiving any of these requirements that are not met; and,
5. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

Vote: unanimous (7 to 0).

9. **SUBDIVISION REGULATIONS VARIANCE / SV 12-08:** Dakota Mill & Grain; Bart Banks – Agent. To waive platting requirements in order to create Lot 2 of Dakota Mill & Grain in accordance with Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Railroad Right-of-Way, Section 31, T1N, R16E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2 of Dakota Mill and Grain, Section 31, T1N, R16E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 12-08 to waive the 8 foot utility and minor drainage easement.

Vote: unanimous (7 to 0).

END OF CONSENT CALENDAR

5. **CONDITIONAL USE PERMIT / CU 12-11:** James and Linda McArthur. To allow an accessory structure prior to a primary structure on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Tract A (less Well Lot), Sunnyside Acres, Section 25, T2N, R4E, BHM, Pennington County, South Dakota.

Commissioner Johnson asked to have this item removed from the Consent Calendar to discuss adding language regarding spark suppression on the fire place.

Jennissen stated he did speak with the Pennington County Fire Coordinator who indicated the applicants will also need a permit from the State Wildland Fire Suppression Division for this type of structure.

Commissioner Johnson recommended a condition be added addressing this.

Discussion followed.

Moved by Johnson and seconded by Hall to approve of Conditional Use Permit / CU 12-11 with the following seven (7) conditions:

1. **That a Building Permit be obtained for the proposed decking;**
2. **That the property remains free of debris and junk vehicles;**

3. That the lot address continues to be posted so it is clearly visible in accordance with Pennington County Ordinance #20;
4. That the property be used for personal use only and no commercial-type uses;
5. That this Conditional Use Permit is not valid until the applicant signs the Statement of Understanding, which is available at the Planning Office;
6. That the applicants obtain a permit from the State Wildland Fire Suppression Division prior to obtaining a Building Permit, if required; and,
7. That this Conditional Use Permit be reviewed in one (1) year or on a complaint basis to verify that all conditions of approval are being met.

All voting aye, the Motion carried 7 to 0.

6. CONDITIONAL USE PERMIT / CU 12-12: Galen and Linda Livermont. To allow a camper to be used as living quarters on a temporary basis on the subject property and to allow for accessory structures to be located on the property prior to a primary structure in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Part of the NW1/4NW1/4 north of the Highway and Railroad, Section 24, T1N, R8E, BHM, Pennington County, South Dakota.

Commissioner Johnson asked to have this item removed from the Consent Calendar to discuss adding a condition to include a Construction Schedule for completion of projects on the property.

Jennissen stated Condition #8 indicates this item will be reviewed in one year.

Commissioner Johnson expressed concern and noted the applicants need to be aware a permanent structure will need to be addressed in the future and other Conditional Use Permits have included a Construction Schedule with the conditions. Commissioner Hall concurred with Commission Johnson.

Commission Davis asked the applicant how long it would be before a residence is built on the property.

Mr. Galen Livermont, applicant, appeared and stated they are the new owners of the property and are working on cleaning it up. He further explained they will be at the property on the weekends, but it will be at least four years before they will move to the property and build a residence, because of his wife's employment.

Commissioner Johnson recommended a condition be added addressing that a Building Permit is applied for within three years.

Jennissen stated the condition could state: "That the RV cannot be located on the property for longer than three years."

Discussion followed to include this language in Condition #8.

Moved by Johnson and seconded by Zvejnieks to approve of Conditional Use Permit / CU 12-12 with the following eight (8) conditions:

- 1. That the lot address be properly posted in accordance with Pennington County's Ordinance #20 so it is clearly visible from both directions of travel along Morris Lane at all times;**
- 2. That the wastewater from the recreational vehicle be properly disposed of at all times by utilizing the existing on-site wastewater treatment system on the property. If a new residence is constructed on the property in the future, the camper must be disconnected from the on-site wastewater treatment system;**
- 3. That an On-site Wastewater Construction Permit be obtained if the applicants install a new on-site wastewater treatment system to service a future residence on the property and the existing on-site wastewater treatment system be properly abandoned if it is no longer being utilized;**
- 4. That the camper no longer be used as a temporary residence if a new permanent residence is constructed on the subject property in the future, following which the camper only be allowed to be stored on the property;**
- 5. That only one camper be allowed to be used as temporary living quarters and for not more than 180 days per calendar year;**
- 6. That the property remain free of debris and junk vehicles;**
- 7. That this Conditional Use Permit is not valid until the applicant signs the Statement of Understanding, which is available at the Planning Office; and,**
- 8. That this Conditional Use Permit be reviewed in one (1) year or on a complaint basis to verify that all conditions of approval are being met, and the RV cannot be located on the property for longer than three years.**

All voting aye, the Motion carried 7 to 0.

10. CONDITIONAL USE PERMIT / CU 12-05: Walter Banovic. To bring a multi-family dwelling unit (duplex) into compliance in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 1 and 1/2 vacated road less Lot A, Hisega Subdivision, Section 16, T1N, R6E, BHM, Pennington County, South Dakota.

(Continued from the June 11, 2012, Planning Commission meeting.)

Commissioner Hall asked to have this item removed from the Consent Calendar to discuss if the applicant has received approval through DENR.

Schmierer stated staff has not received confirmation that approval has been obtained by the applicant.

Moved by Hall and seconded by Litzen to continue Conditional Use Permit / CU 12-05 to the July 9, 2012, Planning Commission meeting.

All voting aye, the Motion carried 7 to 0.

11. CONDITIONAL USE PERMIT / CU 12-13: Albert and Rita Chapman. To allow for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lots 5-10, Block 2, Silver City, Section 31, T2N, R5E, BHM, Pennington County, South Dakota.

Schmierer reviewed the Staff Report indicating the applicants have submitted a Conditional Use Permit to allow for an existing one (1) room cabin to be used as a Vacation Home Rental. The cabin is currently being used for nightly rentals. Schmierer further stated that staff researched the property and found that an existing shed on the property is located within the public right-of-way, and the applicants are aware of the violation and intend to move the building.

Staff recommended Conditional Use Permit / CU 12-13 be continued to the July 9, 2012, Planning Commission meeting in order for the shed to be removed from the right-of-way.

Commissioner Johnson recommended Items #11 and #12 be reviewed together for discussion purposes.

Moved by Coleman and seconded by Hall to discuss Items #11 and #12 together. Vote: unanimous (7 to 0).

Commissioner Hall questioned the required number of parking spaces for each application.

Schmierer explained that CU 12-13 is for a one room cabin and only requires one parking space and CU 12-14 is for a two bedroom cabin, which requires two parking spaces to be provided.

Mrs. Rita Chapman, applicant, appeared and asked that their applications be approved prior to the shed being moved and include a date for which it needs to be removed by. Mrs. Chapman further showed the Planning Commission pictures of where the shed is to be relocated.

Commissioner Litzen asked the applicants when the shed will be moved.

Mr. and Mrs. Chapman stated they hope to have it moved within one month or it will be torn down.

Commissioner Zvejnieks expressed concern with the wastewater system and questioned if the County's Environmental Planner is comfortable with the State approving the applicants' system without knowing the type of tank or what length the drainfield is.

Schmierer noted the County's Environmental Planner is going by with what DENR approved, since no records could be found by staff for the existing system.

Mrs. Chapman added that they have owned the property since 1998 and have not had any problems with their wastewater system and the use will not change.

Schmierer further noted that an approved Operating Permit is only based upon the size of the tank and not the length of the drainfield.

Commissioner Litzen asked Mrs. Chapman to provide a brief history of the property.

Mrs. Chapman said they purchased the property in 1998 and registered it under Happy Trails Cabins to operate. In 2011, they operated under a donation basis, as they were considered operating illegally.

Commissioner Johnson asked the applicants if there are any conditions they would like to discuss.

Mrs. Chapman spoke of Condition #2 to have the address visible from both directions and indicated ingress/egress can only be taken from the west side of the property.

Commissioner Davis wanted to know if the septic tanks are concrete.

Mrs. Chapman said they are.

Discussion further followed between the Planning Commission and staff regarding the illegal operation of the cabins as rentals, licenses obtained by the applicants through the State, donation only for the sites, the wastewater system, letters in opposition and in support of the proposed use, etc.

Commissioner Hall noted the applicants are currently advertising on their website stating the cabin is for rent and charging a fee without prior approval of a Conditional Use Permit.

Mrs. Chapman stated yes they are now operating illegally, but need to rent it for their livelihood.

Discussion followed.

Jennissen further addressed the concern of the wastewater system and indicated a condition does need to be added which indicates the wastewater system and drainfield need to meet the Zoning Ordinance, as the use requires the system to be upgraded.

Commissioner Hall read into the record the five factors the Planning Commission may consider in their approval of Conditional Use Permit applications.

Commissioner Johnson then addressed the public and asked for testimony regarding the proposed use.

Mr. John Gomez and Mr. Todd Tobin both appeared and spoke in opposition to the applicants' request and to not allow VH Rentals in Suburban Residential Districts.

The Planning Commission recessed at 10:43 a.m.
The Planning Commission reconvened at 10:56 a.m.

Mr. Jeff Sugrue, Ms. Tonya Gomez, Mr. Martin, and Mr. Jake Cameron, appeared, and spoke in opposition to the applicants' requests and to not allow VH Rentals in Suburban Residential Districts.

Mr. and Mrs. Donovan, Mr. Tim Donovan, and Mr. Brian Lane, appeared, and spoke in support of the applicants' requests.

After much discussion, Commissioner Johnson recommended the applications be denied without prejudice, based upon community opposition to the requests.

Moved by Johnson and seconded by Zvejnieks to deny Conditional Use Permit 12-13 without prejudice, and for the applicants and the community to work together to resolve issues.

Commissioner Landers asked if the applicants would be operating illegally then, if they continued to advertise and rent out the cabins.

Commissioner Johnson said yes.

Mr. and Mrs. Rita Chapman addressed concerns of the Planning Commission and the public.

Commissioner Davis called the question.

Vote on the Question. All voting aye on the Question, 7 to 0.

Vote on Original Motion to deny without prejudice. Commissioners Hall, Johnson, Zvejnieks, Landers, and Davis voted yes. Commissioners Litzen and Coleman voted no. Motion to deny without prejudice carried 5 to 2.

12. CONDITIONAL USE PERMIT / CU 12-14: Albert and Rita Chapman. To allow for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lots 9-12, Block 3, Silver City, Section 31, T2N, R5E, BHM, Pennington County, South Dakota.

Moved by Johnson and seconded by Landers to deny Conditional Use Permit 12-14 without prejudice.

All voting, the Motion carried 5 to 2. Commissioners Litzen and Coleman voted no.

13. REZONE / RZ 12-07 AND COMPREHENSIVE PLAN AMENDMENT / CA 12-05: RMS Lode/Matt Keck. To rezone 5.13 acres from Limited Agriculture District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Highway Service District in accordance with Sections 210 and 508 of the Pennington County Zoning Ordinance.

EXISTING LEGAL: JR #2 Lode less Lot I, less Lot J and less Lot L of JR #2 and JR #5 Lodes and less Lot H2 of JR #2, #3 and #5 Lodes of JR #2 Lode MS 1864 and JR #3 Lode less Lots 1 and 2 of Lot E, less Lot H2 of JR #2, #3, and #5 Lode and less ROW, located in Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2 of Stenson Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

Jennissen reviewed the Staff Report indicating the applicant has applied to rezone 5.13 acres from Limited Agriculture District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Highway Service District.

Staff recommended approval of Rezone / RZ 12-07 and Comprehensive Plan Amendment / CA 12-05.

Moved by Davis and seconded by Hall to approve of Rezone / RZ 12-07 and Comprehensive Plan Amendment / CA 12-05.

Commissioner Johnson noted the Zoning Ordinance requires that there needs to be access to the site before the Rezone can be approved, and further recommended the applications are continued until the platting process is done and access is obtained from the DOT.

Jennissen addressed this and indicated the applicant has since been able to obtain another property adjacent to the one he is platting and all the lots will then be platted into one lot in the future, which will then give the applicant direct access from Highway 16/385.

SUBSTITUTE MOTION: Moved by Davis and seconded by Hall to continue Rezone 12-07 and Comprehensive Plan Amendment 12-05 until the Final/Minor Plat is filed at the Register of Deeds Office.

All voting aye, the Motion is carried 7 to 0.

14. REZONE / RZ 12-05 AND COMPREHENSIVE PLAN AMENDMENT / CA 12-03: Orvil Davis, Lazy P6 Land Company. To rezone 35.88 acres from Highway Service District and General Agriculture District to General Commercial District and to amend the Comprehensive Plan to change the Future Land Use Map from Highway Service District and Low Density Residential District to General Commercial District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Unit II, Southgate Condos Phase II, Section 24, T1N, R7E, BHM, Pennington County, South Dakota.

Jennissen reviewed the Staff Report indicating the applicant has applied to rezone 35.88 acres from Highway Service District and General Agriculture District to General Commercial District and to amend the Comprehensive Plan to change the Future Land Use from Highway Service District and Low Density Residential District to General Commercial District.

Staff recommended approval of Rezone / RZ 12-05 and approval of Comprehensive Plan Amendment / CA 12-03.

Moved by Davis and seconded by Zvejnieks to approve of Rezone / RZ 12-05 and approval of Comprehensive Plan Amendment / CA 12-03.

Commission Coleman questioned what jurisdiction the City of Rapid City has in relation to the subject property.

Jennissen explained there is a three-mile platting process outside their city limits, so if the applicants plat the subject property, they will be annexed into the city limits of Rapid City.

Commissioner Hall also discussed the City's Future Land Use Plan and noted it does not support all of the area to be changed to General Commercial.

Jennissen stated the County's General Commercial Zoning District and the City's General Commercial Zoning District differ in what uses are allowed.

All voting aye, the Motion carried 7 to 0.

15. REZONE / RZ 12-06 AND COMPREHENSIVE PLAN AMENDMENT / CA 12-04: Orvil Davis, Lazy P6 Land Company. To rezone 24.039 acres from Light Industrial District to General Commercial District and to amend the Comprehensive Plan to change the Future Land Use from Light Industrial District to General Commercial District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Units 8-10, Units 12-15, Drainage Unit VIII, Unit IX, Unit VII, GL 3 less Right-of-Way and less Southgate Commercial Condominiums, and Common Ground of Sections 19 and 24, T1N, R7E and R8E, BHM, Pennington County, South Dakota.

Jennissen reviewed the Staff Report indicating the applicants have applied to rezone 24.039 acres from Light Industrial District to General Commercial District and to amend the Comprehensive Plan to change the Future Land Use from Light Industrial District to General Commercial District.

Jennissen added that the applicant has indicated rezoning the property to General Commercial District would accommodate for the future growth along 5th Street. Considering the growth that is occurring in the area, Walmart, Arbys, etc., General Commercial Zoning appears to be appropriate to the area. However, the Section Line Right-of-way street providing access to the property is currently not adequate for a commercial zoning district. The property was rezoned from General Agriculture District to Light Industrial District in 2001 without proper access. At that time, access should have been improved to the 32-foot paved surface.

Jennissen noted that General Commercial District is appropriate for the area once the Section Line Highway is improved to the 32 foot paved surface; however, until the road is improved, staff is recommending denial of the Rezoning request to rezone the property from Light Industrial District to General Commercial District

Staff recommended denial of Rezone 12-06 to rezone the property from Light Industrial District to General Commercial District. Staff recommended approval of Comprehensive Plan Amendment 12-04 to amend the Comprehensive Plan from Light Industrial District to General Commercial District.

Moved by Davis and seconded by Hall to deny Rezone / RZ 12-06 to rezone the property from Light Industrial District to General Commercial District and approval of Comprehensive Plan Amendment / CA 12-04 to amend the Comprehensive Plan from Light Industrial District to General Commercial District.

All voting aye, the Motion carried 7 to 0.

16. DISCUSSION OF PROPERTY LOCATED AT 763 D & R AVENUE.

Jennissen stated this item had been discussed at the June 11, 2012, Planning Commission meeting regarding the current wastewater violation on the property. Jennissen further noted that a site visit had been performed by Commissioner Johnson, Commissioner Ken Davis, and himself. Options available to the property owner were discussed at that time.

17. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commissions' recommendations from the June 11, 2012, Planning Commission meeting and the Rezone and Comprehensive Plan for Todd Munyon, Main Street Motors, was denied.

18. ITEMS FROM THE PUBLIC

There were no items from the public.

19. ITEMS FROM THE STAFF

A. Recognition of Commissioner Charlie Johnson. Staff presented Commissioner Charlie Johnson with a plaque and thanked him for all his hard work and for his years of service to Pennington County.

20. ITEMS FROM THE MEMBERSHIP

Commissioner Johnson thanked staff and the Planning Commission for his recognition.

21. DISCUSSION ITEMS

Commissioner Davis spoke of fees associated with the Certified Wastewater Pumpers.

22. ADJOURNMENT

Moved by Davis and seconded by Coleman to adjourn.

All voting aye, the Motion carried 7 to 0.

The meeting adjourned at **12:41 a.m.**

First Vice-Chairperson, Sig Zvejnieks