

**PENNINGTON COUNTY
BOARD OF COMMISSIONERS MINUTES
June 22, 2010**

A special meeting of the Pennington County Board of Commissioners was held on Tuesday, June 22, 2010, in the Commissioners' meeting room of the Pennington County Courthouse. Chairperson Ethan Schmidt called the meeting to order at 9:00 a.m. with the following Commissioners present: De Glassgow, Nancy Trautman and Brenda Young.

REVIEW AND APPROVE AGENDA: MOVED by Young and seconded by Trautman to strike Item 6, Discussion of Meeting Format. Vote: Unanimous. MOVED by Trautman and seconded by Young to approve agenda as amended. Vote: Unanimous.

FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 10-02
Pennington County On-Site Wastewater Treatment System Ordinance.

Commissioner Gale Holbrook joined the meeting at this time.

PENNINGTON COUNTY BOARD OF COMMISSIONERS: PROPOSED CHANGES TO THE DRAFT ON-SITE WASTEWATER TREATMENT SYSTEM ORDINANCE AMENDMENT DATED JUNE 1, 2010, AS RECEIVED FROM THE PENNINGTON COUNTY PLANNING COMMISSION.

MOVED by Glassgow to postpone the First Reading of Ordinance Amendment / OA 10-02, Pennington County On-Site Wastewater Treatment System Ordinance until we can study and look at an overlay to implement this ordinance where it is most needed. The motion died for lack of a second.

MOVED by Glassgow to strike all of Section 400 and the only thing that would remain under the motion is A2 which states: To qualify for the exemption, the following criteria must be met: The land consists of not less than 40 acres of unplatted land. The motion died for lack of a second.

MOVED by Glassgow and seconded by Trautman to strike all of Section 400 with the exception of A3 which states: To qualify for the exemption, the following criteria must be met: The land is zoned General Agriculture (GAD).

Substitute Motion: MOVED by Glassgow and seconded by Trautman to strike the language under Section 400 except for Section 402 A2 to read as follows: To qualify for the exemption, the following criteria must be met: The land consists of not less than 40 acres of unplatted land.

MOVED by Glassgow and seconded by Trautman to amend the substitute motion to read as follows: To qualify for the exemption the following criteria must be met: The land consists of not less than 40 acres of unplatted land and is not zoned commercial or industrial. Vote: The motion carried 3-2 with Schmidt and Young voting no.

MOVED by Schmidt and seconded by Trautman to insert “and in accordance with South Dakota state law” after the word “Ordinance” in the second line of Section 105. Vote: Unanimous.

PUBLIC TESTIMONY: The following individuals testified for and against Ordinance Amendment / OA 10-02, Pennington County On-Site Wastewater Treatment System Ordinance: Barb Lindberg, Glorine Hunt, Foster Sawyer, Gayle Jorgenson, Brian McKiernan, Donna Fisher, Karen Hall, David Fisk and George Ferebee.

COMMISSION DISCUSSION AND ACTION:

MOVED by Holbrook and seconded by Young to approve the first reading of Ordinance Amendment / OA 10-02, Pennington County On-Site Wastewater Treatment System Ordinance as amended.

Substitute motion. MOVED by Trautman and seconded by Young to accept three amendments recommended by the Planning Director as follows: Page 8, Section 202, Item D1, change the words “Section 317” to “Section 318”; Page 9, Section 204, change the period between the words “Permit” and “If” to a comma, and change the I in if to lowercase; Page 14, Section 310 Item A. Change “five feet” to read “six feet.” Vote: Unanimous.

MOVED by Trautman and seconded by Young to approve Ordinance Amendment / OA 10-02, Pennington County On-Site Wastewater Treatment System Ordinance as amended. Vote: Unanimous.

SCHEDULE THE SECOND READING

MOVED by Trautman and seconded by Holbrook to schedule the second reading and public hearing of the On-Site Wastewater Treatment Systems Ordinance OA 10-02 for Tuesday, July 6, 2010, during the regularly scheduled Board of Commissioners’ meeting to be held in the Commissioners’ meeting room, and the format will be as follows:

1. That public testimony will be one hour total and is limited to five minutes per person with each person being allowed to speak once.
2. Those wishing to speak shall sign the sign-in sheet indicating their intention. No person who is testifying may transfer their allotted time to any other person.
3. No personal attacks or disruptive behavior will be allowed and if such should occur, the person responsible for these actions will be asked to leave the hearing.

Substitute Motion: MOVED by Schmidt to keep everything the same except change the time allowed for public testimony to two hours. The motion died for lack of the second. Vote on the original motion: Unanimous.

ADJOURN

MOVED by Trautman and seconded by Young to adjourn the meeting at 12:02 p.m. Vote: Unanimous.

June 22, 2010

/s/Julie A. Pearson, Auditor

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