

CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was called to order by Chairman Jongeling on November 21, 2022 at 6:30 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse.

ROLL CALL

Planning Commission members present were Wendi Hogan, Scott Green, Mark Johnson, Erik Scott, Michael Poppens, and Jerry Jongeling. County staff present were Toby Brown and Noah Watson.

APPROVAL OF THE MEETING MINUTES

- 1) Chairman Jongeling asked if there were any changes to the meeting minutes from October 17, 2022. Toby Brown noted that the descriptor of Marilyn Reynbach in Public Hearing Item #1 was incorrectly listed in the minutes as "owner" instead of "renter". Hearing no more proposed changes, a motion was made by Commissioner Green and seconded by Commissioner Scott to approve the minutes with correction to Public Hearing Item #1 to change descriptor of Marilyn Reynbach to "renter". A roll call vote was taken. Yeas: Hogan, Green, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Chairman Jongeling asked if there were any changes to the meeting agenda. No one proposed any changes. A motion was made by Commissioner Scott and seconded by Commissioner Hogan to approve the meeting agenda. A roll call vote was taken. Yeas: Hogan, Green, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Jongeling opened the floor for public comment on non-agenda items. Hearing none, he closed the floor to public comment on non-agenda items.

OLD BUSINESS

No old business was discussed.

PUBLIC HEARINGS

- 1) Toby Brown introduced the application and presented a brief summary of the staff report. Nathan Lund was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Jennifer Johansen, 27057 469th Ave, came forward and spoke about concerns over traffic. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Green and seconded by Commissioner Poppens to recommend approval of the application to the Board of County Commissioners. A roll call vote was taken. Yeas: Hogan, Green, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.
- 2) Toby Brown introduced the application and presented a brief summary of the staff report. Joe Stavig, 803 N 9th Avenue - Sioux Falls, was present to speak on behalf of the applicant and answer questions. Chairman Jongeling opened the floor to public comment. Larry Nelson, 426 E 2nd Street - Canton, came forward and spoke regarding limits to liquor sales on the property and the desire for coordination of development with the City of Canton. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Green and seconded by Commissioner Poppens to recommend approval of the application to the Board of

County Commissioners. A roll call vote was taken. Yeas: Hogan, Green, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion Carried.

- 3) Toby Brown introduced the application and presented a brief summary of the staff report. Eric Stearns, DGR Engineering, was present to speak and answer questions on behalf of the applicant. Chairman Jongeling opened the floor to public comment. Hearing no comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Scott and seconded by Commissioner Johnson to approve the application with the following conditions:

1. The construction and operation shall be substantially in accordance with the Site Plan (dated October 7, 2022)
2. Any expansion or intensification of the use, beyond that which has been proposed by the applicant, shall be treated in the same manner as a request for new conditional use permit, as per the Lincoln County Code of Ordinances.
3. All materials and equipment shall be stored in an enclosed building or secured outdoor storage.
4. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
5. The permit holder shall comply with the road authority's (Canton Township) access requirements, improvements and/or standards, if any.
6. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
7. The permit holder is responsible for compliance with all Federal, State and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: Hogan, Johnson, Green, Poppens, Jongeling. Nays: None. Motion carried.

- 4) Toby Brown introduced the application and presented a brief summary of the staff report. Eric Stearns, DGR Engineering, was present to speak and answer questions on behalf of the applicant. Chairman Jongeling opened the floor to public comment. Eric A. Eneboe, 47788 289th Street, came forward and spoke regarding township road concerns. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Hogan and seconded by Commissioner Johnson to approve the application with the following conditions:

1. The construction and operation shall be substantially in accordance with the Site Plan (dated October 7, 2022)
2. Any expansion or intensification of the use, beyond that which has been proposed by the applicant, shall be treated in the same manner as a request for new conditional use permit, as per the Lincoln County Code of Ordinances.
3. All materials and equipment shall be stored in an enclosed building or secured outdoor storage.
4. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
5. The permit holder shall comply with the road authority's (Highland Township) access requirements, improvements and/or standards, if any.

6. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
7. The permit holder is responsible for compliance with all Federal, State and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: Hogan, Johnson, Green, Poppens, Jongeling. Nays: None. Motion carried.

NEW BUSINESS

- 1) Toby Brown updated the Planning Commission that the Board of Commissioners would be reviewing an appealed application, USE-0068-2022, on November 22, 2022. This application failed to receive approval from the Planning Commission at the October 17, 2022 meeting. Toby also discussed the Planning Commission and Board of County Commissioners Annual Work Session which will be held prior to the Planning Commission meeting on December 19th.

ADJOURNMENT

A motion was made by Commissioner Scott and seconded by Commissioner Green to adjourn the meeting at 7:17 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.