

CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was called to order by Acting Chair Hogan on February 21, 2023 at 6:33 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse.

ROLL CALL

Planning Commission members present were Mark Johnson, Collin Enstad, Scott Green, Erik Scott, Jerry Jongeling, and Wendi Hogan. County staff present were Toby Brown and Joe Meader.

APPROVAL OF THE MEETING MINUTES

- 1) Acting Chair Hogan asked if there were any changes to the meeting minutes from January 17, 2022. No one proposed any changes. A motion was made by Commissioner Jongeling and seconded by Commissioner Green. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, and Jongeling. Nays: None. No Vote: Hogan. Motion carried.

APPROVAL OF THE MEETING AGENDA

Acting Chair Hogan asked if there were any changes to the meeting agenda. Acting Chair Hogan proposed moving Item 1 of "New Business" ahead of the "Public Hearings" and proposed to move item USE-0002-2023 ahead of RZNE-0098-2022 in "Public Hearings". A motion was made by Commissioner Johnson and seconded by Commissioner Scott to approve the meeting agenda as amended. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, and Jongeling. Nays: None. No Vote: Hogan. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Acting Chair Hogan opened the floor for public comment on non-agenda items. Hearing none, she 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. Anthony Ventura was present to speak and answer questions. Anthony Ventura invited Donald Johnson, 26243 480th Avenue, Valley Springs, SD and Paul Blackburn (via phone), 4028 McCulloch Street, Duluth, MN to speak and answer questions. Chair Hogan opened the floor to public comment. Speaking in favor of the application was Dan Paulson, 47633 277th Street; Drew DeNeui, 27597 470th Avenue; Mike Hoffman, 27673 SD Hwy 11; Dennis Jones, 4904 S. Heatherwood Circle; Joy Hohn, 46178 263rd Street, Hartford, SD; Dale Bonnema, 5005 E. 49th Street; and Eric Bogue, 47832 US Hwy 18. Aaron Johnson was unable to attend the meeting, but staff read correspondence from him in favor of the proposed amendment. Hearing no additional comments, Chair Hogan closed the floor to public comment.

A motion was made by Commissioner Green and seconded by Commissioner Scott to recommend approval of the application to the Board of County Commissioners. After the motion, Deputy State's Attorney Joe Meader was invited to answer questions. A discussion commenced surrounding the extent that the Carbon Dioxide Pipeline waiver could reduce the proposed setback. A subsidiary motion was then made by Commissioner Green and seconded by Commissioner Johnson to amend the proposed text amendment by eliminating the last six words on page four, paragraph five so that it

reads, "May enter into a signed written agreement with the applicant to waive the required setback". A roll call vote was taken. Yeas: Johnson, Enstad, Green, and Hogan. Nays: Scott and Jongeling. Motion carried. A roll call vote was taken on the application itself. Yeas: Johnson, Enstad, Green, Scott, Jongeling, and Hogan. Nays: None. Motion carried.

- 2) Toby Brown introduced the application and presented a brief summary of the staff report. Alexandra McLouth was present to speak and answer questions. Chair Hogan opened the floor to public comment. Hearing none, Chair Hogan closed the floor to public comment. A motion was made by Commissioner Green and seconded by Commissioner Enstad to approve the application with the following conditions:
 1. The construction shall be substantially in accordance with the submitted Site Plan (Submitted January 18, 2023).
 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 a new Conditional Use Permit, as per the Lincoln County Code of Ordinances.
 3. The building/premises may be utilized for a licensed bar/lounge. Other uses may be subject to additional review and permitting by the County, per the Lincoln County Code of Ordinances.
 4. The permit holder shall comply with the road authority's (Lincoln County) access requirements, improvements and/or standards it has, if any.
 5. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
 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: Johnson, Enstad, Scott, Green, Jongeling, and Hogan. Nays: None. Motion carried.

NEW BUSINESS

- 1) Acting Chair Hogan opened up the floor to Toby Brown to discuss Planning Commission Officer Elections. A motion was made by Commissioner Scott and seconded by Commissioner Green to appoint Jerry Jongeling and Colin Enstad as alternates. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Jongeling, and Hogan. Nays: None.

A motion was made by Commissioner Scott and seconded by Commissioner Johnson to appoint Commissioner Hogan as the Planning Commission Chair. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Jongeling, and Hogan. Nays: None.

A motion was made by Commissioner Johnson and seconded by Commissioner Green to appoint Commissioner Scott as the Planning Commission Vice Chair. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Jongeling, and Hogan. Nays: None.

- 2) Toby Brown updated the planning commission on the status of PD-0088-2022 which was approved by the Board of Commissioners. Toby Brown also informed the Planning

Commission and the public that all the department applications/permits are available through the county website. Lastly, Toby Brown updated the Planning Commission on the Comprehensive Plan.

ADJOURNMENT

A motion was made by Commissioner Green and seconded by Commissioner Enstad to adjourn the meeting at 8:19 p.m.