Lincoln County Planning Commission
Meeting Minutes
February 18, 2025

CALL TO ORDER AND ROLL CALL

The regular meeting of the Lincoln County Planning Commission was called to order by Chairperson Scott on February 18, 2025, at 5:15 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse. Planning Commission members present were Marlene Sweeter, Jerry Jongeling, Scott Green, Betty Otten, and Erik Scott. Board of Commissioners present were Jim Schmidt, Betty Otten, and Joel Arends (via phone). County staff present were Toby Brown, Noah Watson, and Drew DeGroot.

APPROVAL OF THE MEETING MINUTES

1) Planning Commission Meeting of Tuesday, January 21, 2025.

   Commissioner Scott asked if there were any changes to the meeting minutes from January 21, 2025. No one proposed any changes. A motion was made by Commissioner Jongeling and seconded by Commissioner Sweeter to approve the meeting minutes from January 21, 2025. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Commissioner Scott asked for a motion to approve the meeting agenda and move item #1 of new business, "Annual Work Session with the Board of Commissioners - 5:00 p.m.", before public hearings. A motion was made by Commissioner Green and seconded by Commissioner Jongeling to approve the agenda. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Commissioner Scott opened the floor for public input on non-agenda items. Hearing none, he closed the floor to public input on non-agenda items.

PUBLIC HEARINGS

1) Remanded ordinances of Lincoln County, SD, amending Chapter 154: Zoning, Section 154.021, Definitions; Section 154.056, Permissive Uses (A-1 Agricultural District); Section 154.057, Permitted Special Uses (A-1 Agricultural District); Section 154.058, Conditional Uses (A-1 Agricultural District); Section 154.136, Permissive Uses (I-1 Light Industrial District); Section 154.138, Conditional Uses (I-1 Light Industrial District); Section 154.176, Permissive Uses (RC Recreation/Conservation District); Section 154.177, Permitted Special Uses (RC Recreation/Conservation District); Section 154.178, Conditional Uses (RC Recreation/Conservation District); and Section 154.379(A)(1), Notification, for the regulation of carbon dioxide pipelines and carbon dioxide production facilities.

   Mr. Brown introduced the item and explained the ordinances in more detail. Mr. Brown also provided a few recommendations from staff on specific areas of the ordinances. Recommendations were made regarding sending one recommendation to the Board of Commissioners, the removal of definitions, fee schedules, regulation of above-ground structures, and visual setbacks for above-ground structures. Staff were asked questions regarding setbacks for above-ground setbacks, rezoning above-ground structures, fee schedules, and definitions. Mr. Brown then invited Commissioner Otten to explain ordinance #5. Commissioner Otten explained ordinance #5 in more detail and explained the intentions and reasoning behind it. Additionally, Commissioner Otten also informed the Planning Commission of various changes made to the ordinance since the previous meeting. Drew DeGroot then came forward to provide additional information on the revisions to the ordinance.

Commissioner Scott then opened the floor to public comment. Sara Steever, 46850 276th St; Rodney Miles, 27530 470th Ave ; Jason VanDenTop, Canton SD; Scott Montgomery, Fairvew SD; Lynn Hurley, 48032 277th St; Marilyn Hurley, 48032 277th St; Linda Montgomery, Fairview SD; Scott Meyer, 28503 474th Ave; and Sandy Schulz, 47732 279th St, all provided comment. Additionally, a letter from Michelle Jenson and Mike Hoffman was read. Support was expressed regarding the notification area, rezoning of above-ground structures, the current definitions, the publicly released plume model, and setbacks from the property line. Concerns were expressed regarding the effects of waivers, pipeline sizes, insufficient setbacks, depth of cover, farming restrictions within the easements, insufficient fee schedule, emergency response training, lack of protection for building eligibilities, and eminent domain. Commissioner Scott then closed the floor to public comment. The Planning Commission asked staff questions regarding what properties would have a setback, when waivers would be required, and if the setback would still apply to properties where easements had previously been signed.

Discussion on ordinance #5 was had amongst the Planning Commission and staff regarding plume models, the process of increasing the setback, depth of cover, emergency management plans, building eligibilities, easements, eminent domain, and spot zoning. The Planning Commission then deliberated and directed staff to make the following changes to the draft: 1,320 foot setback for above-ground structures, include training costs for emergency management services, add 7-foot depth of cover, add draft for an annual linear-foot fee schedule, and setback from all property lines for pipeline. Finally, the Planning Commission requested that staff schedule a special meeting on Tuesday, March 11, 2025.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

1) Annual Work Session with the Board of Commissioners - 5:00 p.m.

Toby Brown introduced the item and started by sharing a presentation on the 2024 year for the Planning & Zoning Department. The presentation covered the department makeup, department responsibilities, permit statistics, and anticipations for 2025. The boards asked questions to staff regarding anticipated changes to the ordinance and ways to increase communication with townships. The boards expressed appreciation of Planning & Zoning staff and their administrative procedures.

A motion was made by Commissioner Green and seconded by Commissioner Jongeling to recess until 6:30 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion Carried.

A motion was made by Commissioner Otten and seconded by Commissioner Otten to reconvene at 6:30 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion Carried.

2) Election of Planning Commission Officers for 2025.

Mr. Brown introduced the item and explained the process to the Planning Commission. Commissioner Scott asked for a nomination for the Planning Commission Chairperson. A motion was made by Commissioner Scott and seconded by Commissioner Green to elect Commissioner Jongeling as Chairperson of the Planning Commission. A subsequent motion was made by Commissioner Sweeter to elect Commissioner Otten as Chairperson of the Planning Commission. Subsequent motion not seconded; subsequent motion failed.

A roll call vote was taken on the motion to elect Commissioner Jongeling. Yeas: Sweeter, Green, Otten, and Scott. Nays: None. Motion carried.

Commissioner Scott then asked for a nomination for the Planning Commission Vice Chairperson. A motion was made by Commissioner Green and seconded by Commissioner Sweeter to elect Commissioner Scott as the Planning Commission Vice Chairperson.

A roll call vote was taken. Yeas: Sweeter, Jongeling, Green, and Otten. Nays: None. Motion carried.

Finally, Commissioner Scott asked for a nomination for the Planning Commission Alternates. A motion was made by Commissioner Jongeling and seconded by Commissioner Green to elect Commissioner Derousseau and Commissioner Enstad as Planning Commission Alternates.

3) Planning Commission Briefing.

No briefing was given.

ADJOURNMENT

A motion was made by Commissioner Green and seconded by Commissioner Sweeter to adjourn the meeting at 8:52 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

[MIN_FOOT]