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February 5, 2019 Minutes

Brookings County Planning & Zoning Commission
February 5, 2019 – 7:00 PM
Brookings City & County Government Center
310 Chambers

Chair Rochel called the meeting to order at 7:00 PM and announce that the meeting was being televised and recorded. Commission members present were: Mike Bartley, Robert Rochel, Michael McHugh, Darrell Nelson, Darrel Kleinjan, Chad Ford, Terrell Spence and alternate board member Tom Davis. Also in attendance was Todd A. Kays, Executive Director from First District Association of Local Governments. Randy Jensen, Kimberly Elenkiwich, and Roger Erickson were absent.

Chair Rochel read **agenda item # 2: Approval of minutes from January 8, 2019 meeting.** Chad Ford moved to approve the minutes. Mike Bartley second. Chair Rochel called for a voice vote. 8-ayes and 0-nays, motion carried.

Chair Rochel read **agenda item # 3: Items to be added to agenda by commission members or staff.** Robert Hill noted standard report would be given.

Chair Rochel read **agenda item # 4: Invitation for citizen to schedule time on the commission agenda for an item not listed. Time limited to 5 minutes per person to address the board.** No one scheduled time to address the board.

Chair Rochel read **agenda item # 5: Approval of Agenda.** Darrell Nelson moved to approve the agenda. Michael McHugh second. Chair Rochel called for a voice vote. 8-ayes and 0-nays, motion carried.

Chair Rochel stated, "We are now acting as the Brookings County Planning and Zoning Commission" read the opening statement and **agenda item # 6: Consideration of Plats: a. 2019plat003: "Plat of WWTF Addition in the N1/2 of Section 24, T110N, R51W of the 5th P.M., Brookings County, South Dakota."** Michael McHugh moved to approve the plat. Tom Davis second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "The City of Volga is re-platting property where their waste water facility and lagoons are located." He identified the 3 separately platted parcels that

the facilities were currently located on and then used visuals to describe the new plat. Chair Rochel opened up for questions from the board, hearing none. He opened up the public hearing portion asking for questions or comments from the audience opponents and proponents, hearing none closed the public hearing. Chair Rochel asked the board for questions or comments, hearing none he called for a roll-call vote: Bartley-aye, McHugh-aye, Nelson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Davis-aye, Rochel-aye. 8-ayes, 0-nays, motion carried.

Chair Rochel stated, "We are now acting as the Brookings County Board of Adjustment" read the opening statement and **agenda item # 7: 2019cu002: Layne Saathoff has made an application, 2019cu002, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 20: Home Extended Business**". The property is described as: "SE1/4 SE1/4 SW1/4 of Section 18, T112N, R51W (Preston Township)" ~ located at 46044 199th St, Bruce, SD 57220. Darrel Kleinjan moved to approve the conditional use request. Darrell Nelson second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Layne Saathoff has applied for conditional use permit #20, for a "Home Extended Business". The applicant has a farming operation and would like to add an extended home business to sell used cars, pickups, trucks and trailers." He noted: 1) business would be located ½ mile east of 460th Avenue on 199th St (Brookings County #4 – black top road). 2) Business plan – use and existing 40 feet x 80 feet building as a sales center, business hours would be on call and by appointment, keep and inventory of 5-6 vehicles/trailers on site. 3) Applicant would need to meet and obtain dealer's license from South Dakota Department of Revenue. 4) Public Notices were published in Brookings Register on January 22 & 29, 2019 and in the Volga Tribune on January 24 & 31, 2019. 5) Letters were sent to the adjoining landowner's, Preston Township Chairman and Clerk. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked Layne Saathoff to come forward and address the board. He also explained to the applicant that only 8 voting members were present and 6 yes votes were needed to pass the request. He asked if the applicant wished to table the item or proceed. The applicant noted he wished to proceed with his request. Layne Saathoff then stated, "I am here to request a conditional use and I have an existing dealers license with the state for a dealership that I have had in town for the past 4 years. The in town location will be taken over by someone else and I would like to move mine (dealership) to my farm. I concentrate on hot rod type & online sales." Mr. Saathoff noted: 1) Most of the cars would be located indoors with just a couple outside. 2) Hours open were controlled by the State licensing. 3) State license would stay in effect and he could operate his business on his farm if the County board approved the conditional use request. Chair Rochel opened up for questions from the board. Board members McHugh, Bartley, Davis and Nelson discussed: 1) Signage 2) State License 3) Transferability of conditional use request 4) Handling waste oil 5) Repair shop. Mr. Saathoff noted: 1) Part of the dealership requirements was signage and the sign would be attached to a building and would not have any blinking light and would be very low key. Mr. Haugen noted the sign could be 16 (sixteen) square feet under the current zoning rules. 2) The State

February 5, 2019

Meeting Minutes 2-08-2019 DRAFT

Page 2 of 3

Dealership License number stayed with the applicant and the state would allow him to change the location if the Zoning Board approved the request. He would change the name of the business but license number would remain the same. 3) Conditional use would stay with the site only and would not be transferrable to another person unless that person lived on the permitted site. Mr. Saathoff noted he had no interest in selling or moving from this site location. 4) Waste oil, etc. was handled per state requirements. 5) No repairs were done by the applicant on vehicles he offered for sale. Chair Rochel asked the board if they had any additional questions, hearing none. He opened up the public hearing portion asking for questions or comments from the audience opponents and proponents, hearing none he closed the public hearing. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: McHugh-aye, Nelson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Davis-aye, Bartley-aye, Rochel-aye. 8-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item # 8: Board Training with First District** and welcomed Todd Kays from First District Association of Local Governments. Mr. Kays introduced himself and noted he would be presenting the presentation that Luke Muller had prepared. Mr. Kays gave a power point training presentation titled "Setting Rules for Running a Meeting (and following them)". He pointed out: 1) Additional items that could be added to meeting agendas – Executive Session, if Necessary and Disclosure of Conflicts of Interest. 2) Handling–voting, constituent correspondence, site visits. 3) Best Practice: Disclosing Relationships & Conversations, Debating Bias/How to Abstain, Format: Public Hearing. 4) The Decision – Findings of Facts: Generating and Findings Questions. 5) Conditional Uses Conditions/Expiration/Revocation.

Chair Rochel read **agenda item # 9: Department Reports.** Chair Rochel asked Mr. Hill for his Directors report. Mr. Hill announced the County Commission had approved moving forward with going paperless for the meeting packets so tablets would be in place for board members by the April 2019 meeting. He also presented a report on wind turbines in the county and noted he would be going to Pierre regarding HB 1226. Mr. Haugen reminded board members that the March meeting would take place on Thursday, March 7th, 2019 at 7 PM instead of Tuesday, March 5th, 2019 due to board members having scheduling conflict due to scheduled township meetings.

Chair Rochel asked for a motion to adjourn. Michael McHugh made a motion to adjourn the meeting, Chad Ford second.

Chair Rochel adjourned the meeting at 8:27 PM.

Rae Lynn Maher
Brookings County
Development Department.