

**BUTTE COUNTY PLANNING COMMISSION**  
**BELLE FOURCHE, SOUTH DAKOTA 57717**

**Planning Commission Meeting- September 11, 2018**

The regular meeting of the Butte County Planning Commission was held on September 11, at 7:00 pm in the Commissioner's Room at the Butte County Courthouse, Belle Fourche, SD.

Present were Planning Board Chairman Commissioner Stan Harms, Jim Smeenck, Megan Foos, Tom Cooper, and Donna Jones Office Administrator Butte County Equalization. Present as guests were Le Ellen McCartney, Rick McCartney, Brent Riley, Bryan Riley, Cindy Riley, Mike Mantle, Jason Ward, and Loren Vrem.

Chairman Harms called the meeting to order at 7:00 PM.

Motion made by Foos to approve the September 11, 2018 agenda. Second made by Smeenck. Vote unanimous. Motion carried.

Motion made by Smeenck to approve the August 14, 2018 meeting minutes. Second made by Cooper. Vote unanimous. Motion carried.

**Public Hearings**

Owner: Patricia Habeck (Interstate Engineering)

Lots 1 and 2 of Habeck Tract 2 located in the SE4NE4 of Section 30 T8N, R2E, B.H.M., Butte County, South Dakota. (No one was present to object.)

Owner: Joseph Schreiner (AAB Engineering, LLC)

Plat of Tract I located in the NE4SE4 of Section 30 T9N, R6E, of the B.H.M., Butte County, South Dakota. (Mike Mantle speaking for) (No one was present to object.)

Owner: Glenn and Kate Riley (Loren with Ponderosa Land Surveys LLC)

Tract R2 revised, located in the Government SW4NE4 of Section 7 T7N, R1E, B.H.M., Butte County, South Dakota. (Opposed-Brent Riley, Cindy Riley, Bryan Riley)

Discussion as follows: Bryan presented to board 10-year lease that he holds on the land. Brent and Bryan Riley voiced concerns as to which buildings would be affected by proposed tract since use of buildings is included in the contract Bryan holds. A second concern was regarding water rights. Brent Riley gave Kate Riley rights for 1 acre but proposed tract is 1.69 acres and would exceed agreed upon water use. A third concern was regarding the septic system. The proposed tract shows septic on west side but Brent Riley said septic is on east side. He has not seen a contract yet and wants clarification regarding the septic use. A fourth concern was regarding the home Glenn Riley resides in and how proposed tract would affect that residence. A fifth concern was regarding access. Brent Riley wanted to know how the proposed tract would affect their access. Commissioner Harms asked Loren Vrem if he had any input. He understood the only buildings that would be affected would be Glenn Riley's house, the grain bin and the garage. He stated that if a septic drain-field

easement may be needed that perhaps the parties concerned could draw one up. As for the confusion regarding location of affected buildings, Loren acceded a drafting error in showing some of the structures on the wrong side. He concurred that Glenn Riley may have to address those issues before transfer could be completed.

**A. FINAL PLAT**

Owner: Patricia Habeck (Interstate Engineering)

Lots 1 and 2 of Habeck Tract 2 located in the SE4NE4 of Section 30 T8N, R2E, B.H.M., Butte County, South Dakota.

Motion made by Smeenk to approve Final Plat and move to Commissioners. Second made by Cooper. Vote unanimous. Motion carried.

**B. FINAL PLAT**

Owner: Joseph Schreiner (AAB Engineering, LLC)

Plat of Tract I located in the NE4SE4 of Section 30 T9N, R6E, of the B.H.M., Butte County, South Dakota.

Motion made by Foos to approve Final Plat and move to Commissioners. Second made by Smeenk. Vote unanimous. Motion carried.

**C. FINAL PLAT**

Owner: Glenn and Kate Riley (Loren with Ponderosa Land Surveys LLC)

Tract R2 revised, located in the Government SW4NE4 of Section 7 T7N, R1E, B.H.M., Butte County, South Dakota.

Commissioner Harms suggested the proposal be tabled while the family members worked on settling the concerns. Cooper moved that the proposal be tabled until next month's meeting, Foos seconded the motion. Vote unanimous. Motion carried.

**D. SKETCH/LETTER OF INTENT/PRELIMINARY**

Owner: James and Kathryn Reid (Loren with Ponderosa Land Surveys LLC)

Lot 1 of Reid Subdivision located in the NE4NE4 of Section 20 T9N, R4E, B.H.M., Butte County, South Dakota.

Discussion as follows: Cooper asked about original covenants and set-backs. Wanted to make sure the new lot line would not be so close as to compromise set-back requirements. Lorne confirmed the set-backs are within required distances. Cooper asked about septic and access. Loren confirmed that septic would not be compromised, and the access easement would lay along the lot line and give ample room for both parties to have their own access if needed. Commissioner Harms also asked about updated covenants. Wanted all parties to be aware that James and Kathryn need these completed before the process could go forward. Motion made by Smeenk to approve the Sketch/Letter of Intent/Preliminary contingent on receipt of updated covenants and move to Public Hearing and Final Plat next month. Seconded by Foos. Vote unanimous. Motion carried.

Old Business: None

New Business: Foos asked if any on board had been able to attend event regarding Belle Fourche Reservoir. None had. No discussion.

Adjournment: Motion made by Cooper to adjourn. Second by Foos. Vote Unanimous. Motion carried. Adjourned at 7:43 pm.

Respectfully Submitted: \_\_\_\_\_

Donna Jones

Office Administrator for Butte County Equalization & Planning